









• TIOPA POINT VALLEY, FROM PROSPECT
Painted by Montalant, 1856

A HISTORY OF
OLD TIOGA POINT
AND
EARLY ATHENS
PENNSYLVANIA

"THIS SHALL BE WRITTEN FOR THE GENERATIONS TO COME."



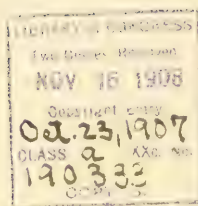
"THE INDIAN CALLS IT TE-A-O-GA—WHERE THE LOVING WATERS MEET."

LOUISE WELLES MURRAY

ATHENS, PENNA.

1908

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1914



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NOV 16 1908

TO
EDWARD WELLES,
WHO HAS BEEN MY INSPIRATION,
CONSTANT COUNSELLOR, AND WISE CRITIC,
THROUGHOUT THE YEARS OF THEIR PREPARATION,
THESE ANNALS OF MY BIRTHPLACE
ARE DEDICATED
WITH SINCERE AFFECTION

L'ENVOI

In every community there are those who scoff at any attempt to preserve local history. For them are here recorded some wise words of great men; many of which were collated by the late Dr. John Hawley, and used in his writings for the Cayuga County (N. Y.) Historical Society, of which he was the first President. Dr. Hawley wrote, "Why do we want to know history? Simply because all of us and every one ought to know how we have come to be what we are."

Daniel Webster wrote, "The Man who feels no sentiment of veneration for the memory of his forefathers, who has no natural regard for his ancestors, or his kindred, is himself unworthy of kindred regard or remembrance."

Max Muller says, "What history has to teach us before all and everything, is our own antecedents, our own ancestry, our own descent." "He does wisest and best for himself and for others who takes closest heed to the lessons of the past. Love for the old is not inconsistent with the things of to-day. Whatever tends to unravel the true motives of men and their deeds, clothes the past with living interest. A faithful record of the pioneer generation should mirror forth its manners, customs and principles; and serve to increase our veneration for the men and women who won for us this fair heritage. We can not know too much of the influences which have made and controlled the conditions of society, as they have hindered or advanced its welfare. Therefore we should collect and preserve the memorials of our local history, while the incidents of its early settlement are yet fresh in memory or tradition."

Brodhead, the historian, said, "A decent reverence for the past must always be an ingredient of the highest patriotism. The more that is known of the history of a locality, the more the people will love it, and stand up for it, not only for what it is, but for what their predecessors have done and suffered to make it what it is."

"There are many ways of learning history; we read it not only from written documents, records, traditions, monuments and coins; but also from ethnological and geological remains." In all these "one needs to be well versed to discover the thread of fiction from the warp of truth, in the mingling of romance which certain writers choose to adopt, for the day is past in which romance can be accepted as history."

Schiller well calls history "The tribunal of the World."

Hesitatingly we send forth this work of our hand to be judged in the tribunal of our own world, the Valley of the Susquehanna.

LOUISE WELLES MURRAY.

December, 1907.

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INTRODUCTORY

WHY AND WHENCE THIS HISTORY

The history of Tioga Point has long waited for consecutive and full narration. Although many memoranda and memories are irretrievably lost for want of a collector a century ago, a wealth of material, unsuspected by writers of the past, lay hidden and inaccessible until recent years. Many important documents supposed to have been destroyed at the time of the Wyoming Massacre, or by overzealous Connecticut and Pennsylvania pioneers, have come to light in Wilkes-Barré, Harrisburg, Philadelphia and Hartford.

From the very organization of the Tioga Point Historical Society in 1895, a growing desire was apparent for an exhaustive and accurate early history of this valley, and various appeals were made to us to undertake the task. The collections of the society soon revealed quantities of unused material, and from that time everything available has been carefully collected. At first it was disheartening to learn how much had perished from ill fortune or lack of care, that had been collected in the early days of the Bradford County Historical Society; and some of the most interesting early journals, etc., of this region were gathered up by the late Steuben Jenkins, whose collection is now lost to sight. Much valuable though desultory work was done thirty years ago by the late Edward Herrick, Jr., who contemplated writing a complete history of Tioga Point. Having abandoned the project, Mr. Edward Welles induced him to transfer most of his material to Rev. David Craft, who was urged to undertake this work. No definite work was done, although some notes and memoranda were added by Mr. Craft, who already had at hand a mass of data unused in his history of Bradford County. On the establishment of a fire-proof museum at Athens, Mr. Craft, at the suggestion of Mr. Welles, the Herrick family and others interested, presented these papers, with many of his own, to the Tioga Point Museum, where they are known as the "Craft Collection." Additional papers gathered by Mr. Herrick were also deposited in the museum by his son, or have come to hand from other

sources. Quantities of letters and documents of great historical value have been loaned by the family of one of the most active pioneer settlers, Clement Paine. Were it not for these, and the work of Mr. Herrick and Mr. Craft, these annals would have been practically impossible. It has been entirely from these papers that isolated facts have been grasped, inciting to further research, which has always been rewarded; therefore we have compiled more than we have composed. At a very late date access was obtained to the papers of the late Matthias Hollenback, an invaluable collection, with stores of interesting information. The manuscript prepared by the late Zephon F. Walker has also been placed at our disposal by his heirs. A lifelong surveyor himself, and possessing all the memoranda of his uncle Zephon Flower (who was the first resident surveyor in this region), Mr. Walker's work, as to maps, titles, etc., could have been accomplished by no other person. Unfortunately he has not noted his sources of information, thereby rendering much of his manuscript valueless for reference. His many excellent biographical sketches are too voluminous to use, for while, as has been well said, "Every person that has lived in this town has had more or less to do with the shaping of these events, yet it would take far too many pages to record each individual's share."

As the work has advanced we have often lost sight of the *doer* in recording the *deeds done*; therefore this book is in no sense biographical, although great pains has been taken to make family records accurate.

We have endeavored to avoid drawing upon our imagination for conclusions, and not to offer bias for facts, always giving our readers all the evidence at hand. It was enjoined upon us in beginning the work "not to make much use of conjecture, even when facts were scarce;" though we agree with an ancestor, who observed in an old letter, "to be accurate is a great additional trouble."

The masses of material revealed to us, and the effort to corroborate statements, have prolonged the task far beyond expectation. The endeavor has been to make an exhaustive and unimpeachable history, valuable for reference, and yet sufficiently interesting to attract readers, young and old. We have borne in mind John Hay's remarks on historical writing:

"I don't try to *remember* anything. I have read reminiscences 'written from memory,' which crowd events occurring in different years into a single day. My experience is that *you cannot write ten lines of history without reference to memoranda or a reliable record.*"

We have aimed to take an impartial stand in the many vexed questions of early days, presenting both sides whenever possible, and leaving

the reader to judge for himself. This has been difficult, but "the true historian must try to suppress his individuality as far as he can, and must criticise the events of a remote period from the standpoint of that period, not from his own." Omissions and inaccuracies there will doubtless be, but we have searched diligently that we might avoid them. Beginning in 1895, at the suggestion of the late George T. Ercanbrack, our first enthusiastic supporter, we have traveled many miles in the last twelve years, notebook in hand. Then, ranging farther afield, we have visited the libraries of the most active historical societies, or corresponded with their most prominent officials. Considerable personal work has also been done in the various State departments at Harrisburg, and in the State Library. Almost invariably we have met with courtesy, prompt response and kindly encouragement, for which we here return sincere thanks. It has been purely a labor of love, the compiler of local history having no returns except the satisfaction of best endeavor. It has been far more difficult than others realize, for, as Ibsen says, "If one feels called to a great task, one must forget that one has friends." Yet it is the generosity of many interested friends that has rendered possible not only the publication of the book, but the numerous illustrations with which we have endeavored to make a complete picture of early times.

And now, voicing our sentiment in the beautiful words of Whittier,

"Lift we the twilight curtains of the Past,
And, turning from familiar sight and sound,
Sadly and full of reverence, let us cast
A glance upon Tradition's shadowy ground."

IN MEMORIAM

DAVID CRAFT.

OCTOBER 3, 1832—SEPTEMBER 17, 1908.

As we go to press, David Craft, instructor, pastor, chaplain, conscientious historian, faithful friend, has "crossed the bar." To-day it has been our sad privilege to witness the last civic and military honors paid to him. Let it be ours to add a tribute to the historian, from whom we have often imbibed wisdom. For what he had gleaned by painstaking research was given free-handed to the seeker after knowledge. Long years ago this history was his appointed task; and, though laid aside in the press of greater duties, his garnered sheaves were preserved, and ready for our hand. Indeed, but for his work, ours would have been almost impossible; for, when groping in the dark, a ray of light frequently came from his manuscript, memoranda, or many a turned-down page. He rejoiced in our efforts, and it was our privilege to read to him from advance sheets until he was weary of the task. Other hands may tell the story of his life and ancestry; ours but to pay tribute to a friend.

September 23, 1908.

PART I

HISTORY OF TIOGA POINT BEFORE THE
SETTLEMENT BY WHITES

1614-1791



TIOGA POINT, 1900
Photographed by I. K. Park

CHAPTER I

TIOGA POINT

*Geographical and Scenic Description—Athens Township and Borough
Some Observations on the Physiography and Geology of the Valley
Fossils of the Mammalian Era Found Along the Tioga River*

Midway between the Hudson and Lake Erie lie the beautiful valleys of the North Branch of the Susquehanna and of the Chemung Rivers, fertile and productive. The Susquehanna has its source in Otsego Lake, in central New York, whence it flows southerly, crossing the line dividing the 42nd and 43rd degrees of latitude; then west, northwest and west, making what is called the Great Bend; it then turns again south. The Chemung, or old Tioga, rises in Tamarack Swamp, near Armenia, Bradford County, and describes a course somewhat resembling an elongated letter C, receiving the waters of the present Tioga and the Conhocton.

At the boundary line between New York and Pennsylvania, both these streams bend sharply to the south; the Susquehanna at the 56th milestone, the Chemung at the 64th milestone; and their waters meet five miles below, less than twenty miles from the source of the Chemung.

The chains of hills which have marked the river valleys here fall back a little, leaving a triangular plain, with nearly equal sides of eight miles each, the rivers forming two of these, and the north boundary being the low line of hills not far above the State line. This plain is 800 feet above tide water, and the encircling hills rise some 500 feet higher. The slopes and valleys are divided into farms, rich with grain fields, through which the rivers find their way in curves and links of silver, occasionally varied by wooded islands. Now the streams flow almost together, then suddenly spread out again, forming the peculiar peninsula just above their confluence, long ago called *Tioga Point*. The whole valley is one of unusual beauty—"no lovelier spot between the Atlantic and the Great Lakes," says one; and, though smaller, it rivals the far-famed Wyoming Valley, of which, in early days, it was a part, in name at least.¹ The receding, yet encircling, hills, only their tops crowned with the forests which once clothed their sides, fade into soft shades in the distance, recalling the title of "the city of the violet crown" given by the ancients to GRECIAN ATHENS, and doubtless to the little hamlet of the long ago by a traveled pioneer. A recent traveler of old Athens stock, "the *real* Athens," as he is pleased to call it, thus writes from the Hellenic Athens:

"All my life I have wanted to come here, and after years of trying—at last here I am in ATHENS!—There probably could not be two places on earth more

¹ "In January, 1774, the General Assembly of Connecticut adopted measures to bring the Susquehanna settlement under her immediate jurisdiction. An act was passed erecting the territory within her charter limits, from the Delaware to a line fifteen miles west of the Susquehanna, into a town, to be called Westmoreland, attaching it to Litchfield County, and from the Lehigh north to five miles above the confluence of the Susquehanna and Chemung Rivers."—Miner.

utterly different in their situations and surroundings than the two Athenses that I have known, and yet no man could justly say that one was distinctly more beautiful than the other. Statues and Parthenons and Theseions are here—but there are only firs and olives and cacti;—the skies and seas are of a most wonderful sapphire—but there is no Round Top, no wooded hills and fertile plains and luxuriant gardens."

Another enthusiastic admirer of our Athens says:

"Here the people of the valley will recall the noble inheritance of our classic title. These rushing streams will be the Ilissus and Cephesus of our modern Athens; these shadowing trees will form our grove of Academus."

There are many points on the surrounding hills from which to view this charming valley. Those most frequented are Prospect, a hill overlooking the Point Farm (see frontispiece), the favorite picnic resort of the last generation; Round Top, west of the town (which was cleared by the late Charles F. Welles, Jr., that all might enjoy the view therefrom—Plate 3); and Spanish Hill, that curious freak of nature, standing alone in the plain, jestingly called the Parthenon.

What is there about this valley that has so endeared it to every one who has lived within its charmed circle? Who can forget the reverential air with which those of the past two generations always spoke of "*the Valley*"? To visit it again was their greatest joy; to live in it, aye to die or to be buried in it, the supreme desire of many who have long since quitted their beloved environment.

In this valley four contiguous villages, Athens, Sayre, South Waverly and Waverly, form one vast "City of the Plains," as it was long ago named by one who saw it only in prophetic vision; the air castle of his dreams, through a long life begun, spent and ended here; a life devoted as none other has been, solely to the interests and advancements of "the Valley." We often wonder, could he who loved it so return, would not his City of the Plains far exceed his hopes and dreams? The prosperous towns, the many railroads, the busy shops, the connecting trolley lines, the electric lights, gas, water, all the modern conveniences, would surely astonish, if not our dreamer, the sturdy New Englanders who first peopled the Valley.

Athens Borough.

The curious peninsula first known as the *Teaoga* of the Indians, has been in turn Westmoreland,¹ the Indian Arrow, Lockhartzburg, Old Ulster, Athens, Tioga, New Tioga, Lower Tioga, Old Tiog Pint, Tioga Point. There have been various stories about the change of name. The truth is this: The Connecticut people took out the grant as *Athens* (1786); the Pennsylvania settlers (1798) generally gave it the name of Tioga Point, corrupted from the Indian appellation. Letters were addressed for years to Athens, Ulster, Lockhartzburg and Tioga Point.

Prior to 1803, as there was another township named Tioga at the head of the river of same name (Chemung), an application was made to the court to have the town established as *Athens*. It was not attended to at the time, *if ever*, and the settlement was still generally known as Tioga Point,² but finally incorporated as Athens in 1831."

² This statement was found in an old letter of Gen. Henry Welles, 1815.

Would that the City of the Plains might be included in one, to be called by the old Indian name Teoka, Teaoga or Diahoga, which, interpreted, means a space or point between the forks of a river or road; "Point," therefore, being an unnecessary addition.³

The finest descriptions known of this region are found in the essays of N. P. Willis, written in 1849, when he was a resident of Owego. Of his home, "Glenmary," he writes in "Letters from Under a Bridge":

"I have chosen a spot on one of the loveliest of our bright rivers. Here is all that goes to make an Arcadia, except the friendly dwellers in the shade.—Let us have an old man's Arcady.—I have strings pulling upon one or two.—If they draw well,—the Owaga and the Susquehannah will join waters within sight of an old man's Utopia. The Susquehannah! This delicious word in the Indian tongue describes its peculiar and constant windings, and I venture to say that *on no river in the world* are the grand and beautiful in scenery so gloriously mixed. This road (from Binghamton to Owego) follows the valley rather than the river, but the silver curves are constantly in view; and from every slight elevation the majestic windings are seen—like the wanderings of a vein, gleaming through green fringes of trees, and circling the bright islands which occasionally divide these waters. It is a swift river, and singularly living and joyous in its expression. * * *

"The *Narrows* of the Susquehannah. That is a word *nota bene*, which refers not at all to the breadth of the stream. It is a place where the mountain, like many a frowning coward, threatens to crowd its gentler neighbor, but gives room at its calm approach, and annoys nobody but the passerby. The road between them looks etched with a thumb-nail along the base of the cliff, and as you come on you would think it a pokerish drive, but there is a smooth *single* track, and, if you meet Farmer Giles or the stage, you have only to set your hub against the rock, and 'let them go by as likes.' The majestic and tranquil river sweeps in to the peaked shadow, and on again, with the disdain of a beauty used to conquer. It reminded me of Lady Blessington's 'do if you dare,' when the mob threatened to break her chariot windows. There was a calm courage in Miladi's French glove that carried her through, and so, amid this mob of mountains, glides the Susquehannah to the sea. * * *

"Since I wrote you I have added the Chemung River to my list of acquaintances. Its beauty is a subject with which I am, just now, something enamored. I think you share my passion for rivers—we will visit this new Naiad in company."

He thus describes this valley:

"A!" "Imagine this capital letter laid on its back and pointed south by east, and you have a pretty fair diagram of the junction of the Susquehannah and the Chemung. The note of admiration (exclamation point) describes a superb line of mountains at the back of the Chemung valley, and the quotation marks express the fine bluffs that overlook the meeting of the waters at Athens. The cross of the letter (say a line of four miles) defines a road from one river to the other, by which travelers up the Chemung save the distance to the point of the triangle,

³ The name of Athens has often roused indignant protest, as evinced by the following, published Feb., 1889: "The writer looks forward in fancy to a time (Heaven speed it) when, to the beautiful and historic valley at the confluence of the Susquehanna and the Chemung shall be restored the good old Indian name of which the stupidity and pseudo-classicism of ninety years ago deprived it. Could anything be more ridiculous than Rome, Athens, Troy? Poverty of resource could by no means apply in the case of the famous old Tioga Point. The true name was traditional and unmistakable. The 'Gateway of the South' was as well known by its Indian title as Wyoming, Shamokin or Niagara. In the oldest Mss. the name was generally written Diahoga or Dyahoga. Which form more nearly expresses the aboriginal sound is a question for reference to the best authorities in Indian history, and the name agreed upon by such a commission should by all means, by both general consent and legislative enactment, be substituted for the present tasteless and pretentious 'Athens,' to the delight and satisfaction of some old fogies, and many besides. The old new name will be historical, aboriginal and euphonious as well, while for mere antiquity it will be outdone only by the everlasting rocks and hills that surround the valley. Now, that an effort is on foot to collect and enshrine the early history of 'Diahoga,' cannot something be done to awaken the public conscience and interest on this long-neglected question?"—E. W., in *Athens News*.

and the area between is a broad plain, just now as fine a spectacle of teeming harvest as you could find on the Genesee.

"As the road touches the Chemung you pass under the base of a round mountain, once shaped like a sugar-loaf, but now with the top o' the fashion of a schoolboy's hat punched in to drink from; the floor-worn edge of the felt answering to a fortification around the brim of the hill, built by—I should be obliged if you would tell me whom!

"I can in no way give you an idea of the beauty of the Chemung River from Brigham's inn to Elmira. We enter immediately upon the *Narrows*—a spot where the river follows into a curve of the mountain, like an inlaying of silver around the bottom of an emerald cup—the brightest water, the richest foliage—and a landscape of meadow between the horns of the crescent that would be like the finest park scenery in England, if the boldness of the horizon did not mix with it a resemblance to Switzerland."

Athens, or Tioga Township, lies in a territory which has been successively a part of Northumberland, Luzerne, Lycoming, Ontario and Bradford Counties; these subdivisions have been made as increase of population rendered it necessary. As an illustration of the necessity, when this locality was first settled, voters had to go to Northumberland to cast their ballots. Bradford County was erected in 1810, the matter having been under discussion for several years previous. The first mention of the township is recorded at Wilkes-Barré:

"At the March sessions, 1790, the court ordered the county of Luzerne to be divided into eleven townships, No. 1 to be *Tioga*, bounded on the north by the north line of the State, on the east by the east line of the county, on the south by an east and west line which shall strike the Standing Stone, on the west by the west line of the county."

As described, it was seventy-six miles in length from east to west, and a trifle more than eighteen miles from north to south. At the April sessions, 1795, a petition was presented asking for a division of Tioga Township by an east and west line, southwest of Breakneck; the north part to be called Tioga, the south, "Wisocks." The petition was granted. January 17, 1797 (by reason of petition presented at November sessions previous), the commissioners reported in favor of dividing the township on dividing line between Athens and Ulster (Connecticut surveys). The north township *received the name of Athens*, the south, Ulster, and thus, says Craft, the name Tioga, which for centuries had been given to the confluence of the two rivers, was lost. In 1801 Rush was taken from the western part, in 1807 Mt. Zion, now called Orwell, in 1809 Smithfield, in 1813 Wells and South Creek, in 1818 Ridgeberry, and in 1821 Litchfield.

"As the lines now run, the township is about six miles square. It is bounded on the east by Litchfield, on the west by Ridgeberry, south by Sheshequin, Ulster and Smithfield, on the north by Barton, Waverly and Chemung, New York State. It contains the boroughs of Athens, incorporated 1831,⁴ South Waverly, incorporated January, 1878, and Sayre, incorporated January, 1891. The natural divis-

⁴ An act, approved March 29, 1831, erected the village of Athens into "a Borough with the following bounds, to wit, beginning at Satterlee's Landing or Ferry on the Susquehanna River (Ferry Street, 1906), extending down to Henry Welles' line, including all that is between the rivers. The electors are to meet at the house of D. A. Saltmarsh to elect one Burgess, Five Town Council, one High Constable, Two overseers of the Poor, one supervisor, one assessor and two assistant assessors." As originally incorporated the borough of Athens included all the land from the old white gate or north line of Point farm to Ferry and Paine Streets, and north line of Herrick plot on Chemung. The limits were first extended on the south to confluence of rivers; next north to Mile Hill, or boundary of old Ulster, and again extended, 1886, to include the old Tozer farm and new cemetery.



TOGA POINT VALLEY, FROM ROUND TOP
(PLATE 3)

ion by the rivers is into three unequal parts; the broad flat on the east, with the high hills of Litchfield behind; the level triangular plain between the rivers; and west of the rivers a belt of level, alluvial land, from half a mile to a mile and a-half in width. To the west and south of this the surface rises into hills and broken lands.

"The township is now divided into four parts, exclusive of the borough, with acreage as follows: East of the river, 4,344 acres; northeast corner between rivers, 693 acres; adjacent to Sayre and South Waverly, 824 acres; west of rivers, 20,264 acres; Athens Borough, 1,214 acres; Sayre, 1,420 acres; South Waverly, 478 acres; total, 29,437 acres. The township is surveyed as follows: Beginning on the west bank of the Susquehanna at State line, 110 rods east of the 57th milestone; thence along State line N. 88° 10' W., crossing Chemung River three times, eight miles and 110 rods to 65th milestone; thence south 6½ miles to the original old line of Athens; thence east six miles to centre of Susquehanna River; thence northerly in said river one mile, crossing to the east side, to the northwest corner of J. Hancock tract; thence on north line of said tract S. 43½° E., one mile 31 rods; thence east 314 rods; thence north five miles 72 rods to the south bank of the Susquehanna River; then up said river, crossing to west bank, 196 rods to beginning. The Chemung River receives Orcutt Creek from the south, Tutelow Creek from the west, and Murray Creek from the west. The Susquehanna River receives Cayuta or Shephard's Creek from the west, one mile below the State line. Wolcott's Creek from the east, one-fourth mile below the State line; Satterlee's Creek from the east, four miles below; Franklin's Creek from the east, one-half mile below the south line of old village plot; Reddington's Creek from the west, a little below the junction, and Buck's Creek from the west, near the south line of the township.

"The high hills and rolling lands were once covered with a dense growth of White Pine, Hemlock, Beech, Birch and Maple, which, if now standing, would be worth millions of dollars. The peninsula, except the Indian meadows, was timbered on the flats with Buttonwood, Black Walnut, Butternut, Hickory and a few oaks and white pine. The higher ground, called the "Pine Plains," was covered with a dense growth of Pitch pine, with some Yellow pine and scrub oak; was a great resort for deer and other wild animals, and was not considered worth clearing. The flats along the river had a dense growth of various trees, including Elms and Maples."—Walker.

Some Observations on the Physiography and Geology of the Valley.

It is a fact, as the late James McFarlane⁵ has said, that while every one is taught geography; geology, which is just as well worth knowing, is neglected; and while every child can give the name of town, county and state in which he lives, few grown persons know even the names of the geological formations on which they have spent their lifetime. A familiarity with the physical geography and geology of his location would be invaluable to every farmer, and could be easily acquired with a little book knowledge to guide him. For geology is a science which must be gathered by observation, both of rock formations and fossils.

The region about Tioga Point is one deserving careful study from geologists for various reasons. It is perfectly apparent that Tioga Point is *at present* the focus of the drainage system of the country north of it," although it may not have been so in the past, and probably was not. A geological observer traveling northward from the Point to the range of hills north of Waverly might well be astounded at the varying conditions discovered within the area.

⁵ Commissioner of Second Geological Survey of Pennsylvania.

⁶ Roughly estimated as 5,000 square miles of southern New York and northern Pennsylvania.

The proximity to the coal fields, and the absence of that mineral; the wealth of fossils, showing that the tops of the highest hills were covered by the ocean; and certain other remains and conditions have led to many conjectures among the uninformed. In digging or drilling wells, excavating for cellars, etc., observations have been made as to the varied soils in different parts of the valley. For instance, from Mile Hill down to the Point there is a *fine* fertile soil with gravel underneath. Yet all over the Plains there is a gravel top, varying in depth from 10 to 40 feet; also there are great beds of sand, curiously irregular in stratification, with quicksands, clay, etc. Throughout Sayre (as is now, 1907, most evident in laying sewers) there is *no bed rock*, the gravel being underlaid by a heavy deposit of fine silt, sometimes to a depth of one hundred feet or more. There are many clay beds in the valley; there is a curious conglomerate, cemented with a carbonate, which is held in solution in hard water, and deposited when the water evaporates, which underlies the Point from river to river, sometimes three feet thick, and of an unusual hardness. The pebbles in this are whole and round; the workmen call it "cement gravel." It shows on the Chemung bank back of the residence of W. H. Allen, and on the Susquehanna a little farther north, and appears, in a diagonal streak, at intervals to the property recently occupied by Charles Kellogg. Repeated efforts were here made in past years to drive a well near Main Street. Occasionally great masses of this crop out in the big sand bank northeast of Sayre, which cannot be broken with the pick.

Said sand bank is one of the curiosities of the valley, its peculiar, varied stratification showing the action of many currents in a stream *flowing northward*.

While ordinarily gravel seems to underlie the soil on the Point, in *digging* a well some years ago on the present property of Mrs. L. M. Park, great masses of marine shells alone, with no surrounding shale or cement, were brought to light, almost as white as coral. Just west of Athens on the old Tannery site, perhaps one hundred and fifty feet from the base of the hill, some years since, vain efforts were made to find water. A well *ten feet square* was *dug* to a depth of eighty feet through a solid bed of blue clay in which were imbedded very hard rocks or boulders from two to six feet in circumference. No water being found, drilling was commenced a little nearer the hill. A very little fresh water was struck at a depth of two hundred feet, and salt water at a depth of three hundred feet. Very close to the foot of the hill a well was driven, when, at a depth of one hundred feet, fresh water flowed, but not sufficient to complete the well.

Great granite boulders brought from the far north, such as marks Fort Sullivan, are occasionally found on the hills; and many huge limestone boulders lie on the mountains north of Sheshequin. Then there are the many pond holes near Hayden's Corner, and the millstone grit cropping out on Round Top and Sutliff Hill, which is known to *underlie* the coal measures only twenty or twenty-five miles south of here. In view of all this it has been thought wise to give our readers the bene-

fit of the observations of local geologists, as well as some theories (proven or partially so) of Ralph S. Tarr, the well-known Cornell professor, who has come to be regarded as an authority on the physical geography of adjacent territory in New York, as well as on glacial conditions and influences.

The great age of the earth, even to millions of years, is now a generally accepted fact, made evident by geological investigations. Prof. Tarr says that rocks form the pages and chapters of the history of the globe, and the rock record has been made by a careful study of the fossils found in them. While there is no basis for division into periods of *years*, the history of the crust of the earth has been divided into ages or stages, each of which may represent perhaps *hundreds of thousands of years*; but about the number of years there is no certainty, nor that the periods were of equal length. Professor Tarr's so-called Time Scale or Table of Geological Ages is here introduced to assist in the explanation of the Devonian Age or Chemung period. This table reads upward:

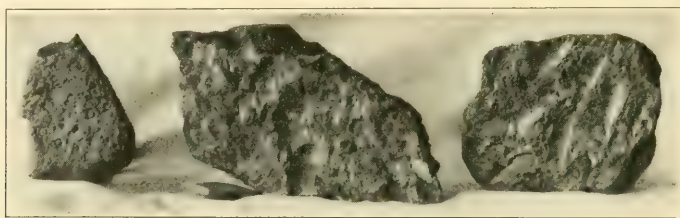
<i>Groups.</i>	<i>Periods.</i>	<i>Epochs.</i>
Cenozoic Age of Mammals.	Quaternary or Pleistocene.	Age of man. Glacial period.
	Tertiary or Neocene and Eocene.	Mammals develop, and to great size. Reptiles diminish.
Mesozoic Age of Reptiles.	Cretaceous.	Birds begin, reptiles continue, higher mammals begin, also land plants and insects.
	Jurassic.	Reptiles and lower mammals continue prominent.
	Triassic.	Reptiles develop remarkably. Mammals of low form appear.
Paleozoic Age of Invertebrates, <i>i. e.</i> , boneless animals, as shellfish.	Carboniferous or Coal Age.	Land plants assume great importance.
	Devonian.	<i>Chemung and Catskill formation.</i> Fishes begin to be abundant.
	Silurian.	Invertebrates prevail (of most importance).
	Cambrian.	No forms higher than invertebrates.
Azoic Age.	Archean.	No fossils known.

Studying the sedimentary rocks now being deposited in the ocean, we find but a *few feet* are laid down in a century; yet in the Appalachian Mountains there are fully 40,000 feet of these, and they were all formed in the Paleozoic age. How many scores of centuries do these

represent? It is by such evidence that the geologists have been driven to the conclusion that the age of the earth is great and incalculable.

Wherever the formations are found they occur in the same order as above, but the series is never complete, and in almost every locality some numbers are wanting.

According to the fossils and other remains, there are in this region no evidences of the Mesozoic age, but many of the Paleozoic and Cenozoic. The Chemung rocks, *noted in every geology*, are here exhibited in abundance. This is a widespread shale rock formation, with layers of coarse sandstones and conglomerates, and a wealth of invertebrate fossils, thus plainly locating the formation in the Devonian age, underlying or simultaneous with the Catskill group. This formation extends over nearly all of the southern tier of counties of New York and a portion of northern Pennsylvania. An occasional fish fossil has been found in the quarries, an additional evidence of De-



CRINOIDS

BRACHIOPODS

SPIRIFER

vonian. At least twelve or fifteen varieties of marine invertebrates may be found among the fossils, a few of which are pictured in the accompanying plates. The most notable and rare fossil is the star fish found by Miss J. F. Carner on the bank of the Susquehanna not far below the old Academy. This fossil retains not only the form, but the original color of the star fish. The others shown are all found *on the top of the highest hills*.

What were the conditions under which the fossils, boulders, etc., were deposited? Unfortunately, geology is yet largely a science of theories, and though great advancement has been made in recent years, and many localities have received careful attention, Prof. Tarr says:

"There are no publications relating to the conditions in the upper Susquehanna and its tributaries."

This being the case, the student's attention can only be directed to the best books of reference, many of which are in the Athens Public Library: Winchell, Geike, Wright and others, but before all Prof. Tarr's, because he has worked so close to us. The Chemung rock layers give evidence of having been deposited in shallow seas, whose tides made sandy and pebbly beaches, which now appear in the sandstones and conglomerates, the overlying layers having been washed away by ages of rainfall and other agents of erosion. The most noticeable conglomerate is the one cropping out on Round Top and Sutliff Hill, containing white pebbles of varying size (see large plate). This



MILLSTONE GRIT
SPIRIFER
CRINOIDS

CORAL
STAR FISH

has always been supposed to be "millstone grit," although Mr. I. P. Shepard, the most active local geologist, defines it more closely as "Olean conglomerate." Whatever its exact name, it is well known that it underlies the coal measures, observable at Barclay, not twenty miles away. (The dip of the formation here is about one foot to four miles.) A good sized quarry of millstone grit was opened fifty years ago on Sutliff Hill, from which was taken material for the great canal locks on the Chemung; it can also be seen now in our bridge piers. Specks of coal were observed in this, and there was a temporary excitement. Thos. R. Davies and others prospected for coal and made extensive excavations in vain. Finally, the State geologist was sent for, who reported the manifestations to be too slight to consider. Very small beds or pockets of coal have occasionally come to light since. There are also slight indications of oil, enough to torment the venturesome; and, in a small area two or three miles southeast of the town there is a limited flow of natural gas.

It seems easy to understand the Chemung formations, as they were deposited under salt water as sedimentary rocks are to-day. Along the Atlantic, east of the Appalachian Highland, in what is called the coastal plain, well-preserved salt water shells are generally found as fossils. The explanation is that the sedimentary rocks were formed underneath the ocean while this part of the continent was still submerged, being afterwards raised to present level, *and not, as has been conjectured, that the ocean here covered our highest hills in any age.* The hills bordering the Susquehanna appear to belong to the Appalachian system. But all the other deposits noted do not belong to the Devonian age. As Mr. Shepard says:

"The geological ages succeeding the Devonian have left no evidences in this region until the latter part of the Tertiary, when this part of the continent seems to have had a greater elevation above sea level, which condition was followed by a very extensive subsidence of the eastern part of this continent. There are evidences that the subsidence reached 1,500 feet or more in this region. In the latter part of the tertiary the rivers occupied *probably* much narrower and deeper gorges than at present, and *probably* came together between Athens and Waverly."

Mr. Shepard further theorizes thus:

"At that time the Chemung and Susquehanna Rivers above Tioga Point became deep tide water streams. The main valley above Athens, during a large part of this time, probably presented the appearance of a large land-locked bay, it now showing traceable shore lines; one of these shore lines in particular corresponding exactly in elevation with the level top of Spanish Hill.⁷ This inundated condition continued for a long period of time, as is evidenced by a heavy deposit of fine silt covering the bottom of the old river gorges to a depth of at least one hundred feet, having been penetrated in recent borings at Sayre (near Station Park). This silt is known locally as 'blue clay,' 'quicksand,' etc."

Mr. Shepard bases his opinions on his personal observations, with the aid of works of Dawson, Wright, Shaler and McFarlane as references.⁸ No work has ever been done in this valley by the United States

⁷ To an observer on Spanish Hill these shore lines or terraces are distinct on many hills in sight, the line being just below the Sayre reservoir.

⁸ If the shells found in digging wells mentioned are *recent* marine shells, as supposed, it is proof that the material in which they were found was deposited in *salt water*, and Mr. Shepard's theory seems corroborated.

Geological Survey, and, as there are many conjectures and some conflicting theories, it is hoped more thorough investigations may be made in the near future, for it is evident that the conditions in this little valley are of somewhat unusual interest. Until such investigations have been made the best guide doubtless is Prof. Tarr's Physical Geography of New York State, to be found in Athens School Library. Speaking of the upper Susquehanna and its tributaries, Tarr says: "Having worked to some extent in this valley, I have seen that there are problems of importance connected with the changes in the river's course." He tells the student how streams at first cut steep-sided valleys, which by weathering, especially in our moist climate, became rounded hills and broadly sloping valleys such as environ us to-day.

Unquestionably the Susquehanna, and probably the Chemung, *thousands of years ago*, ran in deep gorges now buried out of sight. It is also possible that the Susquehanna flowed toward the north, perhaps in the valley now occupied by Shepard's Creek, or farther west, as Prof. Tarr says it is not improbable that some of the drainage found its way northward to Lake Ontario through the valley of Seneca Lake. While evidence is not complete, the silt or drift is much deeper near the lake than a few miles farther south. The change of drainage must have been brought about by glacial action, for the Tertiary period, with its mild climate, was succeeded by the Glacial period, with arctic cold, at which time sheets of ice forming great continental glaciers extended down into the present temperate zone. The cause of this great change is not known, but it is a fact, first discovered by Agassiz, that, fed from some centre in the far north, possibly Labrador, the ice sheet or glacier advanced irregularly over the eastern part of the continent, at which time the watershed of the North Branch of the Susquehanna and its tributaries was covered with creeping ice, its most southern tongues or points extending about as far south as Wilkes-Barré.

Ice is a solid, but in great masses it can flow or move over surfaces, carrying in its lower layers a load of rock fragments, varying in size from boulders to clay particles, and pushing ever before it an increasing ridge of boulders, fragments of stone and sand.⁹ For the moving glacier naturally swept off the top soil and all loose rock fragments and ground them fine; it also grooved the bed rock, scratched or polished the pebbles, and it can easily be seen that the finer particles would settle down, ready to form sand or clay beds when the glacier halted, which it did just at the head of the valley. At that time, from Labrador to Pennsylvania, no land appeared above the ice, except an occasional mountain peak, for the depth seems to have been greater than a mile in some places.¹⁰ Near the southern margin the ranges of hills separated the projecting tongues of the glacier front, and when the sun grew warm the ice melted somewhat, and vast floods of water poured upon the hillsides and thence into the valleys. Naturally the drainage was now southward. Some of the St. Lawrence system then entered the

⁹ While few can visit a modern glacier to see and understand this, all can see the excellent plate from a Greenland photograph, Fig. 55, p. 113, Tarr's Physical Geography, N. Y., which represents just the condition which once existed in this valley.

¹⁰ Tarr's Phys. Geog., N. Y., pp. 108 *et seq.*

Susquehanna, bringing not only water but much rock material, some of which settled to the base of the ice. The time when the great glacial streams carried off the water from the melting ice, bearing also large quantities of sediment, was called the flooded river epoch. At this time the Chemung evidently filled the whole valley from Big Flats to Horseheads, covering the present site of Elmira, and making what Tarr calls an "Overwash Plain," the one mentioned being one of the best instances observed by him.

The two great streams in this valley doubtless combined to give it the appearance of a great lake, the old channel to the north choked up by glaciers, and to the south very likely dammed by floating bergs in the narrow gorge at Ulster, so that the water ran over the tops of surrounding hills. As the ice melted the land appeared strewn with boulders from the far north, of limestone and granite. Our own plain from Mile Hill to the hills back of Waverly would doubtless be given the name of a "gravel-filled valley plain," the slope being too slight to allow the great floods to carry off all the sediment, the result of which would be to fill the old river beds and allow the streams to flow over the plain in numerous channels. Naturally, the retreat of the ice was intermittent,¹¹ and the halts formed terminal moraines in irregular lines or masses of the solid material which had been pushed in front of the tongues of ice. A terminal moraine¹² is a system of hummocky knolls, saucer or kettle shaped basins, and hills circular, elliptical or ridge like, compared to the wind-blown sand deposits seen in a sand dune region, as at the seashore in some localities. The moraine can be easily recognized in the gravel ridges of Ellistown, the kettle holes near Hayden's Corners, the Heights of West Sayre and Spanish Hill.

Doubtless in the flooded river epoch the whole valley was filled with silt or river drift as high as the top level of Spanish Hill. As the water subsided it has been thought not improbable that the two streams met just where the great sand bank is northeast of Sayre, as this has every appearance of having been formed when there were opposing currents. But recent investigations show a great bed of gravel *south* of the sand bank, indicating a delta deposit from a stream flowing toward the north.

The general opinion of Prof. Tarr's students differs from Mr. Shepard's theories. Both are given as an incentive to further investigation. The Tarr theory is that it was *glacial* drift which filled and buried the old river valleys, and that the "shore lines" are the top of the drift or silt. One of the best evidences of this is the till or boulder clay already spoken of as found near the old tannery site. This is made up of material that was *on, in or under* the ice,¹³ the clay being a rock flour, its color due to the undecayed particles. This was made by the grinding of the rocks as the glacier dragged them along. The boulder clay may be termed the first product of the terminal moraine, deposited with the fine silt, and sometimes washed out later by the flooded streams. At the point mentioned it was doubtless protected

¹¹ Some geologists believe that there were two or more glacial periods or epochs, and Prof. G. E. Rogers thinks some phenomena of the valley might thus be more easily explained.

¹² See Tarr's Phys. Geog.

¹³ *Idem*, p. 139.

by the proximity of the rock wall of the old river gorge, being seldom found elsewhere in the valley. The Susquehanna and, doubtless, the Chemung are flowing high above the old rock bottom of their pre-glacial valley.¹⁴ This would easily account for the absence of bed rock in Sayre, although showing a great change in position of river beds. Doubtless the buried valley of the Chemung lies under the blue clay in West Athens; and the same conditions as in Sayre, near N. F. Walker's residence, give evidence there of the buried valley of the Susquehanna.

The kettle-shaped depressions known as the pond holes of the plains are easily understood by geologists, similar kettles being in process of making in Greenland. They were sometimes caused by irregularities of deposits, or through the influence of currents swirling about, forming eddies here and there. In the majority of cases, however, the kettle has been made because when the sediment was being deposited that particular point was occupied by an ice fragment or a stranded iceberg.¹⁵ Drift was deposited all around the stranded ice, and, finally, over it. Naturally, when the ice melted the sediment must settle down, forming the kettle hole. A vivid imagination can possibly picture Oak Grove Park occupied by a good sized iceberg *ten thousand years ago*.

The beautiful granite boulder erected to mark Fort Sullivan possibly once rested in the St. Lawrence Valley.

The presence of the conglomerate with the carbonate cement is as yet unexplained, but will doubtless yield more readily to careful investigation than it has to the pick and the drill.

Lower Athens a True Flood Plain.

When a stream flows over a level area with a moderate slope, so that in time of flood all the water cannot be carried in the natural channels, it overflows its banks and spreads out as a great sheet of water, as has been often seen in Athens in days now past. The current is so reduced that sediment is deposited and a flood plain is gradually built up, often becoming very extensive. It is unnecessary to go to the Mississippi Valley to understand this, for, without doubt, on such a flood plain do we live to-day. It has been observed that the plain above "Mile Hill" has a coarse, gravelly soil, containing somewhat more fine earth than ordinary creek gravel, but on the whole showing that it was deposited by *flowing* water. The kinds of rocks composing the gravel and small stones would indicate that this is an "overwash plain,"¹⁶ often found below the terminal moraine of a glacier. But at the foot of "Mile Hill" the character of surface soil suddenly changes. Excavations show from four to six feet of fine silt, with scarcely a rock fragment or stone present over most of lower Athens. *Below this silt* gravel similar to that on the surface above "Mile Hill" is found.

¹⁴ An interesting change in the Chemung Valley above Elmira is fully described on page 168, Phys. Geog., N. Y., and the numerous illustrations in this book go far to assist to an understanding of the influences of the glacial period.

¹⁵ Tarr's Phys. Geog., N. Y.

¹⁶ This differs slightly from the theory already assumed by the author.

Probably the gravel was first deposited over this lower plain to at least the level of "Mile Hill." Afterwards repeated overflows of both rivers washed away the surface of the peninsula to the *present level* of the gravel. (Quite possibly during some extensive flood the Chemung took a swift turn across the plain, making the steep slope now known as "Mile Hill.") Since that time the overflows have deposited the fine soil now above the gravel, leaving the conditions we now find. The elevation which was formerly the border of "Herrick's Meadow" was probably left in a similar manner.¹⁷

Minerals.

Some time in the fifties two men, a physician and a Methodist elder (who had formerly lived in this locality), came here from Ohio to prospect for ore. They had made the acquaintance of a very old Indian whose early home was in this valley. He had told of a vein of silver near the meeting of the waters, and the two men had made a rough map under his instructions. They hunted in vain on the hills *east* of Athens. Some years later they came again, with delicate magnetic instruments, and located the mineral somewhere near Milan. A large hole was dug and a minute quantity of ore found, but as it was evidently not in paying quantities the project was abandoned. In recent years similar experiments have been made, but Mother Earth seems to guard her secrets well.

Fossils of the Mammalian Era Found Along the Chemung.

At various times since the settlement of this region large teeth and tusks have been found, evidently belonging to the Mammoth or Mastodon of the Cenozoic age (many periods later than the Devonian), during which age the glacial period is supposed to have existed. We have made inquiry in many places, hoping to find some one of these tusks or teeth which could be reproduced, but it seems impossible to trace them. It is a well-known fact that the Indians gave the name Chemung to the river also known as the Tioga, because of the "big horns" found along its banks.

The earliest use of the name which we have found is in 1757, when the French spoke of the Delaware Indians living here as the "Loups of *Chaamonaqu * or Theaoga."¹⁸ This indicates the find by Indians at an earlier date. Zeisberger mentions "Wschumno," a horn; but we have not learned the date, nor if Weiser ever mentioned "Chemung." Spafford says,¹⁹ "Chemung is said to mean big horn or great horn in the dialect of the Indian tribes that anciently possessed the country; and that a very large horn was found in the Chemung or Tioga River was well ascertained." Thomas Maxwell (a native of Tioga Point) gave the definition to Schoolcraft as "a large horn or tusk."²⁰

¹⁷ For information, advice and correction the author is greatly indebted not only to Mr. I. P. Shepard; but to Prof. G. E. Rogers and Miss Elsie Murray, students under Prof. Tarr, the author being purely an amateur observer.

¹⁸ See N. Y. Col., Doc. X, p. 589.

¹⁹ *Gazetteer*, 1834, p. 106.

²⁰ Dr. Beauchamp, in his "Aboriginal Place Names," pp. 42 and 43, gives both Chemung and Willewana as Delaware words meaning horn, or big horn. Gallatin gives Konnonagah, horn, as a Seneca word.

Probably the first one found by the white settlers is that described in the *American Museum*, published at Philadelphia by Matthew Cary:²¹

"Description of a horn or bone lately found in the river Chemung or Tyoga, a western branch of the Susquehanna, about twelve miles from Tyoga point.

"It is six feet nine inches long, twenty-one inches round, at the large end, and fifteen inches at the small end. In the large end is a cavity two and a half inches in diameter, much like the hollow which is filled with the pith of the horn of the ox. This is only six inches deep—every other part is or appears to have been solid. The exterior part, where entire or not perished, is smooth, and in one spot, of a dark color. The interior parts are of a clear white, and have the resemblance of well burnt unslacked limestone; but these can be seen only where it is perished, tender and broken. From one end to the other, it appears to have been nearly round, and on it there have been no prongs or branches. It is incurvated nearly into an arch of a large circle. By the present state of both the ends, much of it must have perished; probably two or three feet from each end. From a general view of it, there is reason to believe, that in its natural state, it was nearly a semi-circle of ten or twelve feet. The undecayed parts, particularly the outside, send forth a stench like a burning horn or bone, and what is become of the animal, are questions worthy of the curious and learned.

"This curiosity is in the possession of the Hon. Timothy Edwards, Esq., of Stockbridge, Mass."

It is regrettable that no mention is made of the name of the discoverer of this curiosity.

The next recorded find was by Judge Caleb Baker, who settled at Southport in 1788 or '89. Judge Baker related that "*a few years* after his settlement (Maxwell said 1791) he was on the river in a canoe with one or two other men, and at the shore near the so-called Second Narrows, where the brook comes down, they observed *under water* something protruding out of the bank looking like a curious root." At Judge Baker's request one of the men got into the water to examine and draw it out or break it off. It was soon found to be no root, and all got into the water and succeeded in wresting it from the bank, when it was found to be a perfect though immense horn, measuring nine feet in the curve and six feet in a straight line. It was somewhat eroded, though not enough to affect its form or coherency. It was left at a neighboring blacksmith's to have a band put around it to preserve it from a split. As not much attention was then paid to curiosities it was negligently left for a long time, although Judge Baker intended to have it examined by some naturalist. But when he went after it the blacksmith had sold it for a paltry sum to a New England peddler, and it was lost sight of. Daniel McDowell saw this horn and thought it similar to pieces of one shown him in Canada, when a prisoner among the Indians (in 1782). They told him their fathers had found it in this river, and therefore gave it the name of Chemung, which signifies big horn.

In his notes for Schoolcraft, Thomas Maxwell says: "The early settlers found a similar one in the stream in 1799. It was sent to England and an eminent scientist called it the tusk of an elephant or some similar animal. About 1843, says G. W. Kinney, "A tusk was washed out of the river bank on the premises of Isaac Horton in lower She-

²¹ See Aboriginal Archives, Vol. 4, p. 42, July, 1788.

shequin, below the point where Horn Brook empties into the Susquehanna, where the bank is high and gravelly; the tusk was found near the water's edge when the river was low. It was mutilated by time. Its dimensions were about nine feet in length, diameter at base six to twelve inches, at smaller end four inches." This tusk was in the possession of C. L. Ward, and is supposed to have been burned with other valued relics in a fire at Lafayette College. (Mr. Ward's daughter described it to the writer.)

In 1855 Thomas Maxwell tells of a similar large tusk found on an island below Elmira which he personally examined, saying, "It is about four feet in length, of the crescent form, perhaps three to four inches in diameter. * * * Others who have seen it pronounced it to be *ivory*. * * * This is the third horn or tusk that has been found in the Chemung." This tusk is said to have been sent to the Academy of Natural Sciences in Philadelphia, but they have no record of it. One of these tusks was long among the collection of curiosities *gathered from* the Indians at the Red Jacket Garden in Elmira. Galatian says: "It was dug out of the river near Bydleman's by the Indians, and was long in the possession of William Lee. The horn was called '*Conongue*,' which, in the dialect of the Muncies and Delawares, means Horn in Water." (This seems to be a third Delaware word with the same meaning.)

The last recorded find was October 28, 1872, when some men, slipping down the north bank of the river about three miles above Chemung village, found two double teeth and a section of jaw bone in the caving earth, and subsequently some bones were dug out at the same spot, which was about two miles from the locality where Judge Baker found the tusk. These teeth (which were seen by many now living) were very heavy, one weighing nine pounds,²² the grinding surface being nine inches long and twenty-eight inches in circumference. This discovery was made on the farm of Henry Beidleman. Dr. E. Geer took them in charge. Dr. E. P. Allen gave considerable study to this find,²³ embodying the result of his conclusions in a paper read before the Bradford County Historical Society, which was published in pamphlet form. He decided they were the teeth of the *Mammoth* rather than the *Mastodon*, and said of it:

"The mammoth has never been found living; it is thought they were overwhelmed by some sudden catastrophe during the long drifts of the glacial period. Many skeletons or parts of them have been found in various parts of the temperate zone in North America. They are supposed to have lived in what is called the Tertiary Period."

To this it may be added that remains have been found in New Jersey, New York, Ohio and Pennsylvania; it would seem along the line of the terminal moraine. This would suggest that they may never have lived in the present temperate zone, but that the animals, *or their skeletons*, were carried before the glaciers, as were the rocks and other material. A few other finds in this region may be recorded, the farthest

²² An idea of size may be obtained from considering that a horse's tooth weighs about one ounce.

²³ The tooth is reputed to have been sent to the Smithsonian Institute, Washington, but there is no record of it there.

south in Kelly Township, Union County, on the West Branch of the Susquehanna.²⁴ While digging the Junction Canal on Chemung flats, near Wilawana, in 1853, two tusks were exhumed which appeared like chalk, and were destroyed by the picks of the workmen. Doubtless the Indians had found some at this very spot, as "Wilawan" is said to be a Delaware word meaning "Big Horn."

McMaster, in his History of Steuben County, N. Y., reports a similar tooth "dug from a bed of blue clay in the Gulf Road, between Bath and Wheeler; also a large bone which crumbled on exposure to air. This bed of clay²⁵ is of unusual depth and tenacity, and it is guessed that the animal was mired."

The Indians had some interesting traditions concerning these animals and their destruction by the Great Spirit (to be found in the *Athens Gleaner*, December 21, 1871), but we have already given sufficient space to the subject, and hope the young people may make further investigations.

²⁴ In 1871 this tusk was in a cabinet of the University at Lewisburg.

²⁵ Doubtless the boulder clay or till of glacial formation.

"During the excavations for the South Branch Canal, through a gravel plain at Wyalusing, in 1852, portions of an ivory tusk were found, in a condition similar to those mentioned above. On shaving the chalky substance with a sharp knife, the peculiar radial cross-curves of the ivory were unmistakable throughout.

"A few years later, a finely preserved *mastodon* tooth was taken from the bed of the Laurel Run, opposite Wyalusing; in the sharp depressions of which, between the conical projections, were plainly to be seen remains of the vegetable fibre composing the food of the animal. This tooth is believed to be in the possession of G. H. Welles, Esq."



THE CHEMUNG NEAR WILAWANA

CHAPTER II

THE AMERICAN INDIAN

The Aborigines of the Upper Susquehanna Before the Coming of the White Men—Indian Names for Tioga Point—Its Importance as Key of Valley—Indian Customs and Modes of Living

"Tribes of the solemn League from ancient seats,
Swept by the whites like autumn leaves away.
Faint are your records of historic feats,
And few the traces of your former sway."—*Hosmer*.

The origin of the American Indian is, and probably ever will be, wrapped in mystery. Theories and theorists are plentiful, but that their theories are based largely on conjecture is evidenced by the somewhat amazing and amusing fact that the theorists, as a rule, have *different* theories.

Drake,¹ one of the first American Indian historians, gives various citations supposed to allude to America and its indigenes. The earliest is from Theopompus, an historian of the time of Alexander the Great, who alludes to a continent beyond Europe, Asia and Africa. Hanno, Diodorus, Plato, Aristotle and Seneca are also mentioned by Drake as having made allusions to our continent. Modern writers have more to say about the people and their origin. Quite general is the sentiment in favor of a Tartar origin, and an entrance via Behring Straits and Alaska. There are also numerous writers who believe the Indians to be descendants of the lost tribe of Israel. The eminent Canadian philologist, Horatio Hale, says:

"Philologists are well aware that there is nothing in the language of the Amerinds to favor the coming of the race from Eastern Asia, but the Basques of Northern Spain and Southern France speak a similar language."

Many of these early writers have, *in their own opinion*, set at rest the question "How and by whom was America peopled?" But, of them all, surely Dr. Cotton Mather is the most amusing. He says:

"It should not pass without remark that three most memorable things, which have borne a very great aspect on human affairs, did near the same time, namely, at the conclusion of the fifteenth and the beginning of the sixteenth centuries, arise into the world; the first was the resurrection of literature; the second was the opening of America! the third was the reformation of religion. But, as probably, the Devil, seeking the first inhabitants of America into it, therein aimed at the having of them out of the sound of the gospel. Though we know not how these Indians became inhabitants of this mighty continent, yet we may guess that probably the Devil decoyed them hither in hopes that the gospel would never come here to destroy his absolute empire over them."

¹ "History of the North American Indian."—Drake.

In 1683 William Penn wrote to a Friend² certain ideas of his concerning the Indians, in which is this passage:

"For their origin I am ready to believe them of the Jewish race; I mean of the stock of the ten tribes, for following reasons: First, they were to go to a land not *planted* or *known*, which, to be sure, Asia and Africa were, and He that extended that extraordinary judgment upon them might make the passage not uneasy from the easternmost parts of Asia to the westernmost of America. In the next place I find them of the like countenance, that a man would think himself in Duke Place or Berry Street, London, where he seeth them. But this is not all; they agree in rites, they reckon by moneys, they offer their first fruits, they have a kind of feast of tabernacles, they are said to lay their altars on twelve stones, their mourning a year, customs of women, with many other things, that do not now occur."

As to Indian customs very interesting modern accounts are given by Francis Parkman, who drew his information largely from the Jesuit Relations. While the Jesuit missionaries have given most of the recorded history of the Northern tribes, for the Indians of Pennsylvania, and especially those along the Susquehanna, we are greatly indebted to those earnest and faithful men, the Moravian Brethren. Indeed, it may well be said that but for the archives at Bethlehem (those precious old Mss. translated only in recent years) there would be no written history of the Susquehanna Indians.

In 1741 that well-known Moravian enthusiast, Count Zinzendorf, came to Pennsylvania and began the active mission work carried on later by less illustrious but equally faithful Brethren. In 1742 he began to record observations on the Indians, or as he puts it, "the Savages in Canada," Canada being a general European term for all the Northern British Colonies in America. He gives many reasons for believing with Penn that the Indians were of Jewish descent. He divides them first under four heads, A, B, C and D. Continuing, to speak of A, the Iroquois (which he says is a French name):

"They call themselves Aquanuskion, or ye *Covenant People*." Of the five tribes he says: "A. I. The Maquas (Mohawks), whose language is nearest the Ebrew, the chiefest of their nations according to dignity; yet in Reuben's way, despised, because of their levity and paid off with the title. Yet their language goes throughout. II. The Onondogas are ye chief nation in reality; ye Judah among their brethren. III. The Senecas are ye most in numbers. These three nations are called ye Fathers. IV. The Oneidas and V. Cayugas are their children. They must respect them (the Fathers), and have also children's rights.

"B. The Gibeonites, or water-bearers, are People gathered on ye rivers as ye Gypsies, and a good part of them are *Europeans*. I. Canistokas (Conestogas). II. Mahikans (Algonquins), of whom our congregation consists. III. Hurons, or Delaware Indians. These must call ye others Uncles, are called Cousins.

"C. The Floridans (Shawanese) are Confederates, and the Tuscaroras are called Brothers. (They became the sixth tribe in the federation.)

"D. The Captives are kept well, and become in time Cousins."³

Zinzendorf further says the Maquas have become hopelessly indolent from the use of strong drink, and that the Mohicans are susceptible of good impressions, though naturally fierce. He always avoided the Maquas who "had guzzled away all their land to the whites" and

² "Memorials of the Moravian Church," p. 18.

³ These observations are a copy of an *old translation* in the Bethlehem Archives, now to be found in Reichel's "Memorials of the Moravian Church."

professed to be Christians, converted by English or Presbyterian preachers. Zinzendorf seems not to have visited Tioga Point, although he traveled extensively up and down the Susquehanna, and was often at Wyoming.

In a discourse before the New York Historical Society in 1811, Governor Clinton, speaking of the Five Nations, said:

"The Virginian Indians gave them the name of Massawomekes; the Dutch called them Maquas or Makakuase, and the Friends, Iroquois.⁴ Their appellation at home was the Mingoes, and sometimes the Aganuschian."

The readers of Cooper's tales will remember them best as the Mingoes. They have also been called the Romans of America; for in their great conquests and clever methods of dividing and weakening other tribes they stand unexcelled.

Loskiel⁵ says:

"The first Europeans who came to North America found this immense continent inhabited by numerous nations, all of whom are comprehended under the general name of Indians. Their numbers have often been overrated, owing to the different names frequently given to one nation.

"As to their origin, there is no certainty. The investigations even of the most learned have produced nothing but conjectures more or less probable, nor will I detain my readers with a repetition, much less enter into a review of them.

"Those seem to be nearest the truth who join the celebrated Dr. Robertson in supposing Tartary in Asia to be the native country of all American Indian nations. But it is my intention to confine myself to an account of only two of these nations, namely, the Delawares and Iroquois.

"The Delawares are divided into three tribes. The Unami are considered as the head of the nation, the Wunalachtikos are next in rank, and then follow the Monsys.

"The name Delawares was undoubtedly first given to them by the Europeans, for they call themselves Lenni-Lenape, that is, Indian men; or Woapanachky, that is, a people, living towards the rising of the sun, having formerly inhabited the eastern coast of North America. This name is likewise given to them by other Indian nations.

"The Iroquois have received their name from the French, and most historians, who have written of them, make use of it. But the English call them the Six Nations, as they now consist of six nations in league with each other. Formerly they were called the Five Nations, five only being joined in that alliance. But as we shall speak of them, both in their former and present state, I shall, for the sake of perspicuity, confine myself to the name of Iroquois. They call themselves Aquanuschioni, that is, United People, always to remind each other that their safety and power consists in a mutual strict adherence to their alliance. Others call them Mingos, and some Maquais. These six confederate nations are the Mohawk, Oneida, Onondago, Cajuga, Senneka and Tuscarora. The latter joined the confederacy about seventy years ago.

"The rest of the nations, either in league with the Delawares and Iroquois, or connected with them by some means or other, are the Mahikans, Shawanose, Cherokees, Twichtwees, Wawiachtanos, Kikapus, Moshkos, Tukashas, Chipawas, Ottawas, Putewoatamen, Nantikoks, Wyondats or Hurons, Chaktawas, Chikasaws and Creek Indians, with some others whose names are occasionally mentioned in history.

"All these Indian nations live to the west of New England, New York, New Jersey, Pennsylvania, Maryland, Virginia, North and South Carolina and Georgia. But it is difficult exactly to determine the boundaries of the different

⁴ Modern ethnologists give the general name of Iroquois to all eastern tribes. Indeed, General Clark says that the much disputed meaning of "*Iroquois*" is simply "*East*." Prof. A. L. Guss says Shawanese originally meant only "*South*."

⁵ George Henry Loskiel, who wrote the "*History of the United Brethren among the Indians*," first published in German in 1788, republished in 1794.

countries they inhabit, partly for want of good surveys, and partly on account of the unsettled state of some of the nations, and therefore their territories can only be described in a general way. The Delawares live about half way between Lake Erie and the river Ohio. The Iroquois possess the country behind New York, Pennsylvania and Maryland, about the Lakes Erie and Ontario, extending westward to the Mississippi and southward to the Ohio. The Mohawks live more to the eastward, are much mixed with the white people, and not numerous. Their neighbors are the Oneida and Tuscarora. Then follow in a line from east to west the Onondago, Cayuga and Senneka tribes. The Mahikans are neighbors of the Iroquois. The Shawanose live below the Delaware, towards the river Ohio. The Wiondats and Hurons partly inhabit the country on the west coast of Lake Erie, near Sandusky Creek, partly about Fort Detroit, between the Lakes Huron and Michigan."

The Moravian, Rev. John Heckewelder, published in 1818 a "History of the Indians," and in 1820, a "Narrative of Missions Among Them," two most interesting books, while they have been severely criticised. Some of his observations here seem of interest. He says the proper national name of the Delaware is Lenni-Lenape, and that they called the Iroquois "Mengwe or Mingo." That both of these tribes lived many hundred years ago in the very distant West, and that all east of the Mississippi was inhabited by the Alligewi, who had very large towns built on great rivers.

The Lenni-Lenape and Mengwe in emigrating eastward first met at the Mississippi; together they conquered the Alligewi, who fled down the Mississippi and *never returned*. The Mengwe then took the lake region and the Lenni-Lenape the south, and for many hundred years lived peaceably and increased very fast; the latter gradually worked east until they discovered and settled on the four great rivers, the Delaware, Hudson, Susquehanna and Potomac. Soon the Mengwe became jealous and laid the deep scheme of asking the Lenape to be women, which would keep peace, preserve honor, etc. Later the Iroquois denied this and said they conquered in battle, but there is no written record. They betrayed the confidence of the Lenape in every way. The Shawnees were originally in Savannah, Georgia, and Florida. The Nanticokes were at Chemung and Chenango in 1730. He gives the names of the Iroquois, with their meanings: "Mohawks—Fire striking people (they had first firearms); Oneidas—Stone pipe makers; Cayuga, named for lake; Onondago—On top a hill (their chief town so situated); Seneca—Mountaineers (lived in hilly country)." Heckewelder says they were five *tribes or sections*, not *nations*; also that the Lenape never acknowledged the sixth tribe. Of the clans the Turtle took lead in the government of *every* nation. Heckewelder tells of many interesting customs and exploits of the early Indians.

In 1821 Dr. Samuel L. Mitchell, Professor of Natural History, in a lecture before a New York society, suggests that the northern nations "appear to have descended from the *Tartars of Asia*, and by gradual approaches from the shores of Alaska, to have reached the country south of the Great Lakes. They brought the complexion, features and manners of their ancestors, and even their dogs are of the Siberian breed."

The same speaker suggests that the southern tribes were tintured with *Malay* blood. In the early part of the nineteenth century there

were many antiquarian societies whose researches are partially embodied in a curious book printed in 1833, "American Antiquities," by Josiah Priest. There is much of value to be found in this work, also many foolish conjectures. Mitchell is often quoted by Priest, and again there are suggestions that the southern tribes were of Australasian or Malay origin, Dr. Mitchell observing that in both continents the northern hordes always overcome the more civilized though feebler inhabitants toward the equator. Cusick's "Chronology of the Origuy Indians" is also intensely interesting, dating from 2005 before Columbus discovered America. This may be found in Priest's "Antiquities," page 346, and tells of "*a great tirant who arose on the Susquehanna river about the time of Mahomet, 602, who waged war with the surrounding nations.*"

Indian traditions are unreliable, being handed down by word of mouth or recorded in wampum belts. Yet why may we not hope to have their hieroglyphics some day translated? Many of them are to be found in Pennsylvania, especially along the Susquehanna River. For instance, the Indian rock pictures at Millsboro, the Indian God Rock in Venango County, the Algonkien (?) Rock pictures at Safe Harbor, at the mouth of Conestoga Creek. There is also a great rock carving of the Turtle tribe or clan at Smith's Ferry, in the bed of the Ohio River. The "Annals of Binghamton" tell of both rock carvings and paintings along the upper Susquehanna, of which the Indians contemporary with the first whites *could tell nothing*.

On the upper Susquehanna,⁶ two miles above Great Bend, high on a cliff, was the painted figure of an Indian chief, full length, done by skilful hand in an apparently inaccessible place; this has gradually faded with age. Who can tell its meanings? There was also below Sheshequin an Indian face on a round stone on the mountain nearly opposite the mouth of Sugar Creek, originally colored.

The Indians also made many clever so-called tree pictures; they cut bark from side of tree, and some wood, and on the flat surface they then drew their pictures, which could be easily read by the next party passing. These were much used by war parties. In Col. Hubley's journal are some pen and ink sketches of tree pictures found between Cayuga and Seneca Lakes, also some found by Clinton's and Sullivan's men at Choconut (now Vestal). These were painted by the Indians under Brant and Butler. Hubley's memorandum says: "The trees painted by the Indians between Owegy & Chukunnut on the head waters of the Susquehanna." They were five in number. The first indicated a death, the second the number of scalps taken, the third the Onondaga Nation, represented by its totems, fourth not understood, the fifth an Indian returning successful from his expedition. For a recent study of the aborigines the reader is referred to the writings of Rev. W. M. Beauchamp, published by the State of New York as Museum Bulletins.

How long have Indians lived in this region? who were they? whence did they come? are the natural questions that come to mind.

⁶ See Blackman's "History of Susquehanna County," p. 52.

It sounded startling when General Clark (who has been a great student of the Indians of the upper Susquehanna) said:

"Tioga Point has been occupied or frequented by the aborigines as long as Indians have lived on the Alleghany range. Remains have been and will be found reaching back *a thousand, if not thousands of years*, of all nations and languages, friends and enemies."

The disclosures of the last ten years lead us to agree with him; nay more, to acquiesce in the statement of an inhabitant of Tioga Point, that the Indian occupation seems to date back to as remote ages as the *geology*. Who shall say *when* the foot of the Indian first trod Tioga Point? As burial place after burial place is discovered the words of the poet come to mind:

"All that tread the earth
Are but a handful to the tribes
That slumber in its bosom."

Were they Al-li-ge-wi, Algonquins, Lenni-Lenape, Andastes or some tribe antedating all these?

But 200 years ago the tribes below New York State were distinct from those above in habits and language. The southern tribes were designated as At-ta-wan-de-rons, "wanda" meaning *voice* or *speech*, and the whole term being interpreted as "people who speak an intelligent language." From this word, doubtless, came the name Towanda (according to General Clark).

"If archaic remains are to be used as evidence to determine human conditions, then the Stone Age of Britain, France and Western Europe had its counterpart in Indian life in America *less than four centuries ago*."

The implements of the lake dwellers of Switzerland are duplicated in the implements of Tioga Point.

Whoever the first inhabitants were, undoubtedly, the name was ever the same, Te-o-ka, meaning forks of any kind, as of a road or a river, or more exactly the space or point in the forks. Thus it is seen that the word "Point" was an unnecessary addition.

While there are writers who scoff at the Indian names, and deplore the use of them by the white man; they are, as a rule, far more significant than the senseless or inappropriate names often bestowed by Americans on towns, lakes and rivers; and often, as Hosmer says, "Sweeter than flute notes on the air." To properly appreciate the beauty of an Indian name it should be written and pronounced in separate syllables. The softest form of the name here used is Te-a-o-ga, although Mrs. Whittaker, who was a captive among the Indians here for a long time, gives Taw-e-o-gah. We are inclined to the former, because in the many variations of the name found in archives, records, journals, etc., the first syllable was almost invariably *Te* or *Di*, having much the same sound.

Mr. Herrick made many careful notes from various sources, from which the following different forms or synonyms are taken. Whether these differences were due to the varying dialects of the Indians or to the pronunciation of the white men the reader may judge.

Conrad Weiser wrote it *Diadagdon* and *Diaogon*. The Moravian missionaries very generally wrote it *Diahoga* or *Diahogo*. In 1765

the governor called it, in a proclamation, *Diahoga* or *Tohiccon*. Some of his envoys call it *Tiaogon*; however, in the colonial records it is more often *Diahoga*. Sir William Johnson writes it *Tioaga* or *Tiaogo*. The Governor of New York, *Tiaoga*; Indians in council, *Tihogan*, *Tiahogan* or *Diohoga*. Morgan, in his "League of the Iroquois," says:

"The various tribes of the Iroquois each had a different pronunciation of the name. In Oneida dialect, Te-ah-o-ge; in Mohawk, Te-yo-ge-ga; in Cayuga, Da-o-ga; in Seneca, Da-yo-o-geh—all meaning 'at the forks.' Red Jacket pronounced it Ta-hi-ho-gah, discarding 'Point,' the white man's suffix, saying the Indian word conveyed the full meaning."

On Pouchot's map of 1758 it was called *Theaggen*; on Col. Guy Johnson's map of 1771, *Tiaoga*; on Morgan's map, *Ta-yo-ga*. General John S. Clark, *whose opinion we greatly value*, says the word had its origin in the Indian word *TEKENI*, meaning two; and that there were two derivatives, *TE-U-KA* and *TE-O-KA*, one meaning a *point* between two meeting streams or forking trails, the other a *space* between forks, as between fingers. Gen. Clark added that the word might be written in fifty or even two hundred ways. Dr. Beauchamp says: "This is from *teyogen*, anything between two others, or as commonly used, *teehohogen*, forks of a river." He also says that it was an Iroquois word, as did Heckewelder, though the latter is said to have given an erroneous meaning. But, if this is an Iroquois word, what was the name before the coming of the Iroquois? To this query we have found no answer; though the Andastes were a kindred tribe, with similar language, so that the name may have always been the same.

But whatever the *name*, or its meaning, the *Point was the key or gateway* to the upper Susquehanna and the Chemung valleys (the Chemung being also called the North Branch, the Cayuga Branch and the Tioga Branch). Being the key, it seems *always* to have been a place of importance. One has but to examine the State archives and colonial records to discover that next to Shamokin⁷ scarcely any place is more frequently mentioned than Tioga. In spite of the possibility of occupation for unknown ages, there are no records earlier than 1614.⁸

The *earliest* records of the tribes along the Susquehanna are from the writings of Captain John Smith and the Jesuit Relations, with, of course, some general allusions by the earlier French writers. Parkman tells us that at the opening of the seventeenth century the whole country east of the Mississippi was occupied by two great families of tribes distinguished by a radical difference of language, to wit, the Algonquins and the Iroquois. Of these tribes information is most often found in the Jesuit Relations; those almost daily journals, written by the heroic and devoted Jesuit missionaries between 1632 and 1693, which being always sent to France, were annually printed and bound in Paris. In recent years these musty, worm-eaten volumes have been carefully translated, and may now be found in the great public libraries of America in seventy large volumes.

⁷ Shamokin (now Sunbury), at the forks of the branches of the Susquehanna, was long the most important Indian town in Pennsylvania.

⁸ The late Harriet Maxwell Converse, the Indianologist, long ago promised to visit Tioga Point and interpret the decorations on local pottery, pipes, etc., every one of which she asserted was an Indian hieroglyphic with meaning. But she never came, though deeply interested in the photographs sent to her.

Despite many minor divisions for various reasons, and some differences of language and habits, all Indian tribes were much alike in their modes of living, their chief aim being seeking food and making war. On account of the necessity of former occupation all were more or less migratory; while there were some localities where fields were long cultivated and fruit trees grown, they were rather the exception. Except for the trophies of the chase, food and fire were always provided by the squaws, and it was amazing how successful was their agriculture with only the rude hoes or spades made from stone, or the shoulder blades of the elk and buffalo.⁹ Even as early as when Cartier came (1535) they were cultivating the ground. He says:

"They dig their ground with certain pieces of wood as big as half a sword."

Some of both vegetables and fruits were new to Champlain, who not only described them as follows, but made many interesting drawings to be seen in the original or complete editions. He says:

"We saw their Indian corn¹⁰ which they raise in gardens, planting 3 or 4 kernels in 1 place, then heap about the earth with shells or the tail of a fish; 3 feet distant they plant as much more; with it they put in each hill 3 or 4 Brazilian beans (indigenous to America); when they grow up they interlace with the corn and keep the ground moist; they also grow squashes, pumpkins and tobacco, also a great many nuts, grapes and berries. The esculents are all American sub-tropical, and must have been transmitted from tribe to tribe from the south. The Indian tradition says the crow brought them at first a grain of Indian corn in one ear, and an Indian bean in another, from the great God Kantautouwit's field in the Southwest, from whence they hold came all their corn and beans."

The squash, pumpkins and beans were dried for winter use, as were also meats and fish. The corn was cached as already described, or kept in the huts in chests or "drums of bark." Capt. Smith told of a pap made from it by the Virginian Indians called "pone" or "omini," which words are still in use. "Corn was planted when the leaves of the white oak were the size of a mouse ear; often year after year in the same hills, the ground being scratched or loosened by the rude hoe." —Heckewelder. When the ground became too exhausted to raise further crops, or the ever widening circle of timber was too distant for the squaws to carry firewood sufficient for their needs, the tribe migrated, first, however, burning over the ground. Timber never grew here again, but always tall grass like that of the prairies, giving the name of "Indian Meadows" to many places along the Susquehanna. There were also special migrations in the hunting season. The Algonquins did not mind migrations, as they lived in wigwams made of poles and carelessly covered; the Iroquois, less migratory, always had cabins.

Champlain also mentioned cherries, plums, raspberries, strawberries, currants and several other small fruits, and that the people dry the fruits and small berries for winter, also dry and store away fish. Indeed, he met one band of savages who had migrated to a certain region professedly to dry blueberries to serve for manna in winter. They also, he said, raised sunflowers and used the oil to anoint their heads; also little wild apples and mandrakes. In speaking of other

⁹ See Heckewelder.

¹⁰ Indian corn was first introduced to the whites of New England by one of Sullivan's soldiers, who reported it as found in a country bordering on the Susquehanna.

customs he told that they paint their faces black for mourning and burn everything belonging to the dead, *even their dogs*. "They beat their game into the water and then kill it with spear heads." Describing canoe-making he says:

"They cut down with much labor and time the largest and tallest trees by *means of stone hatchets*, remove the bark and round off the tree except on one side, where they generally apply fire along the entire length, and sometimes they put red hot pebble stones on top. When the fire is too fierce they extinguish it with a little water, not entirely, but so the edge of the boat may not be burnt. It being hollowed out as much as they wish, they scrape it all over with stones, which they use instead of knives. These stones resemble our musket flints."

So many sinker stones have been found around Tioga Point that it seems worth while to describe Indian methods of fishing. They fished with a hand line, the sinker stone, like the small ones in museum, was fastened to the end of a main line, to which short lines with bone hooks were attached. The sinker was then thrown far out into deep water, the main line hauled taut, and the least motion on the short lines was conveyed to the hand of the fisherman speedily. They also fished with nets made of willow withes, using many sinker stones around edge. Here the larger stones must have been used; there are a number of very large ones in museum. One of the Moravian journals tells of seeing shad-fishing at Ahquahgo thus:

"They tie bushes together so as to reach across the river, sink them with stones, and haul them around by canoes. When net was drawn all present, including strangers, had an equal division of fish."

The willow nets were very generally used by the pioneers for catching shad. Much more might be written on Indian customs; but there are to-day many sources of information.

CHAPTER III

EARLY EXPLORATIONS

The Results as Shown in Old Maps—First Visits of White Men to the Vicinity of Tioga Point—The Susquehanna and Its Discoverers

The historian Winsor has well said :

"When Anaxagoras said that man was born to contemplate the *heavens*, etc., he might have added the *earth*; and have enjoined upon his disciples the necessity of representing the result of such contemplations by maps and charts. We require a map fully to understand the geography of a country, hence a study of maps becomes the duty of writers of history."

While many people scorn the early maps because of their inaccuracy, the thoughtful student of history finds an indescribable interest in what may be termed the evolution of the map, or the geographical evolution of a locality. Our interest in this subject was awakened some years since by Gen. John S. Clark, of Auburn, N. Y.,¹ who, like many civil engineers, early became interested in history and topography. The results of his years of observation and painstaking research are embodied in various unpublished Mss. which, however, he kindly shares with others; imparting also much helpful information to all who seem really interested in these subjects.

While feeling very inadequate to the task, we cannot do justice to the history of Tioga Point without considering the early maps which include this territory. Indeed, it will be seen that the earliest known maps of the Eastern States not only show the meeting of the waters, but seem to have been made as the results of the first visits of white men to this region. This study, even with such enlightening assistance as given by General Clark, leads to many perplexing questions; the chief ones being the various forms of Indian names given, and the errors of the map-makers as to location of rivers, lakes and bays. While it has generally been said that Conrad Weiser was the first white man to visit Te-a-o-ga (date 1737), this is an error. It is a recorded fact, in Weiser's own journals, that a large body of Palatine emigrants from the Mohawk Valley passed down the Susquehanna; some in canoes and some by land, in 1723 and 1728.² While they apparently made no record, unquestionably they halted at Te-a-o-ga.

But, more than a hundred years before, the early map-makers evidently had reports from white men who tarried in this vicinity.

The earliest map including this locality is undoubtedly the Adrian Block or Figurative Map, though these *may* be two separate ones, the latter made by Hendricksen. It is due to the research of Brodhead,

¹ Shea, the historian, gave Gen. Clark great praise for research concerning Champlain's expedition of 1614, and believed, with Clark, that Champlain's map was original.

² See Cobb's "Story of the Palatines," p. 282.

the historian, to state that these maps were discovered by him at The Hague in 1841.³ Brodhead says of the larger:

"It is the most ancient map of the State of New York, and the neighboring territory to the north and east, and is probably the one to which the Dutch voyager and historian De Laet⁴ refers as the 'chart of this quarter, made some years since.' The original map was annexed to a memorial to the States General by the Directors of New Netherland in 1616. I think, however, it was prepared two years before (from data furnished by Block just after his return to Holland) and exhibited in 1614 (October 11th), as the charter granted that day to Directors of New Netherland, expressly refers to a 'Figurative Map prepared by them,' which describes the same coasts as parchment map. For, besides this map on parchment, I found one on paper with no date or name. I think this first was presented to the States General when Captain Hendricksen appeared before them to solicit a new grant of trading privileges for the Directors of New Netherland⁵ (claiming the discovery of a bay and three new rivers southwest of the mouth of the Hudson). * * * Adrian Block was a worthy mariner of Holland who first came to this country in 1611, looking up the fur trade at the suggestion of Hudson, returning home the same year."

In 1612 he was sent again by influential merchants, with a comrade. Their ship was accidentally burned at Manhattan; but, with the aid of Indians, Block built a small yacht in the winter of 1613, which he named the *Onrust*, or *Restless*, in which he explored bays and rivers to the eastward. Upon Block's arrival in Amsterdam with details of these explorations, apparently the stolid Holland merchants for once became excited. They hastened to form a company, and engaged a skilled draughtsman to make an elaborate map, probably under Block's supervision, or at least from his data.⁶ With this they appeared before the States General asking for a charter, which was granted October 11, 1614,⁷ giving the title of New Netherlands to unoccupied lands lying between Virginia and Canada. The Figurative Map was referred to in this charter,⁸ after the procurement of which Block's connection with discoveries in America ceased.

This Figurative Map (which, by the courtesy of Houghton & Mifflin, is here copied from Winsor's "Narrative and Critical History") shows the inclination of early map-makers to consider the Susquehanna and the Delaware as the same river, the Susquehanna flowing into Delaware Bay, or the Delaware into Chesapeake Bay; an error which was uncorrected for about seventy-five years. The "Minquas" indicated were on the west side of the Susquehanna, General Clark thinks "apparently at North Towanda." General Clark has reduced the Hendricksen and the Block map to the same scale, thus greatly simplifying the matter of locations.

Near the top of the original map is a memorandum written in the court hand of the time, which is here given complete, as it indicates

³ Facsimiles of both are in the office of the Secretary of State, at Albany, N. Y.

⁴ In his "Novum Orbis," with map, of 1630, first printed map of New Netherland.

⁵ About this time, according to Griffis' "Romance of Discovery," "The Dutch Congress issued a general charter to all who discovered new passages, havens, countries or places. Each discoverer to be rewarded by being given a monopoly of trade to country discovered, during at least four voyages, being required within fourteen days of return from first voyage to give his report, with exact details."

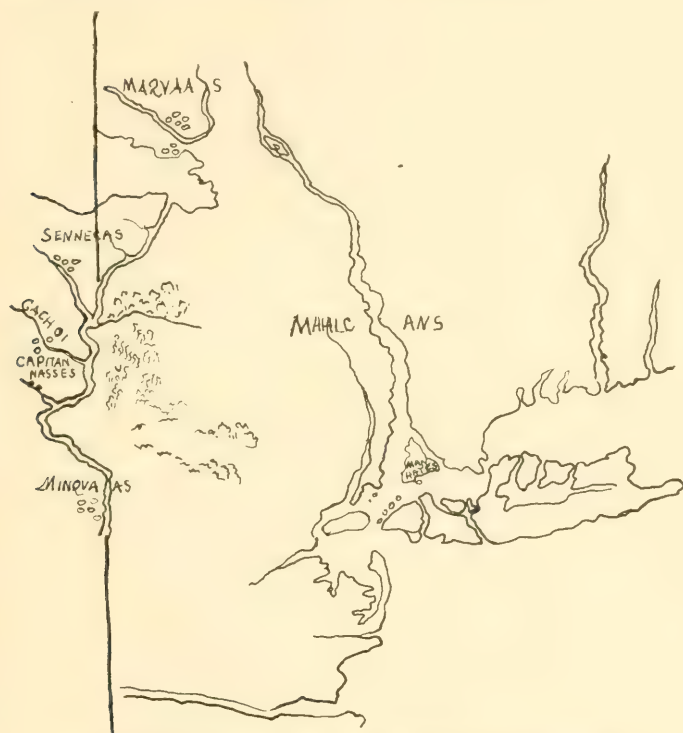
⁶ Brodhead, Vol. I, p. 60.

⁷ The very same day on which, in England, Capt. John Smith first showed his journal and maps to Prince Charles.

⁸ See Holland Documents, Vol. I, p. 47.

not only the first definite information concerning the upper Susquehanna; but is reported probably by the first white men known to have visited *Tioga Point*.

"Of what Kleynties and his comrades have communicated to me respecting the locality of the rivers, and the places of the tribes which they found in their expedition from the Maquas into the interior, and along the New River⁹ downward to the Ogehage¹⁰ (to wit, the enemies of the aforesaid northern tribes), I cannot at present find anything at hand except two rough drafts of maps relating thereto, accurately drawn in parts. And in deliberating how I can best reconcile this one with the rough drafts of the information, I find that the places of the tribes of Senecas, Gachos, Capitanesses and Jotticas should be marked down considerably farther west in the country."¹¹



FIGURATIVE MAP—BLOCK AND HENDRICKSEN—1614

Brodhead says the author of this memorandum is unknown, also the identity of Kleynties and comrades; but, on searching for information in "Holland Documents,"¹² he concluded that the latter were the three Dutch traders who, in 1614, left their employment among the Maquas (Mohawks) at Fort Nassau and set out on an expedition into the interior, and along the *New River* (Susquehanna) downward to the Minquas (Andastes), by whom they were taken prisoners (near *Tioga Point*). These three Dutchmen, Hendricksen, in his report to

⁹ Name used by Dutch for Delaware.

¹⁰ Minquas or Andastes.

¹¹ See N. Y. Col. Doc., Vol. I, p. 13.

¹² See Vol. I, p. 61.

the States General, states that he "ransomed from the Minquas," one item on Hendricksen's petition telling "that he traded for and bought from the inhabitants three persons belonging to this company, which were employed in the service of the Mohawks and Mahicans, giving for them kettles, beads and merchandize."¹³

Another account¹⁴ of these men says that they "accompanied a hostile party of Iroquois from Fort Orange, who were on a warlike expedition, presumably against the Carantouannais (Spanish Hill); who, on taking the Dutchmen prisoners, treated them kindly, supposing them to be French, allies and friends of their Huron allies; and this, although one of the Carantouannai was killed in the encounter."

Modern historians, as well as Champlain, believe these were the first white men seen by the Indians of this region; the first to discover and descend the northeast branch of the Susquehanna; and, *let us add, the first known* to visit Te-a-o-ga. After being prisoners of the Carantouannais about a year,¹⁵ they descended the Susquehanna to Nescopeck, and, taking the trail over the mountains, met Capt. Hendricksen on the Delaware. These men then, whatever their names, were the discoverers of the upper Susquehanna. They saw the river from its head waters; they told of "a tribe of Indians called Canoomakers, who lived on the shores of a Versch Water (lake), from which a river appears to flow southerly, emptying into Delaware Bay." This lake was, by map-makers, confounded with larger ones reported, and, as may be seen on the map, made a strange confusion, uncorrected for a hundred years.

The Susquehanna!¹⁶ "The Beautiful River of Pennsylvania!" Who would not be proud to lay claim to her discovery? Her praises have been sung in prose and poem, and even the local poets have risen to their best heights in contemplating her beauties. At the close of this chapter will be found some selections from "Corallana," an unpublished poem by "Minor," a young man of Tioga Point *one hundred*

¹³ When Block returned to Holland the last time he left his yacht Onrust to Cornelius Hendricksen, who seems to have been the first European navigator known to have set his foot on the soil of Delaware and Pennsylvania. Apparently he explored the Delaware as far north as the Schuylkill, and it is thought he ransomed these prisoners very near the location of Philadelphia. See Brodhead's Hist. N. Y., p. 79. After his explorations Hendricksen returned to Holland and was at once taken to The Hague to report.

¹⁴ See Colonial Hist. N. Y., Vol. I, pp. 13 and 14, evidently free translations from Champlain.

¹⁵ Gen. Clark thinks, from Hendricksen's map, that they were taken to the village of the Minquas, at North Towanda, known as Oscului. This was a smaller town than Carantouan, about three acres, on the high bluff at the mouth of Sugar Creek.

¹⁶ While Susquehanna is an Indian word *its true meaning is unknown*. A little investigation proves that the river had many names, each with an appropriate meaning. Colden, a very early writer, gives *Co-hon-go-run-to*, which may mean "a river in the woods" or "one which serves as a door." Heckewelder gives *Gahonta*, the river on which are extensive flats. Lewis Morgan gives *Ga-wa-no-wa-na-neh*, an Iroquois word, meaning great island river. Beauchamp says *Susquehanna* is an Algonquin name, first syllables uncertain meaning, *hanna* means river. Heckewelder says that the Lenape called the North Branch *M'chewamisipu* (same meaning as *Gahonta*), and the West Branch *Quenischachgekhaum*, the river which has the long reaches. Heckewelder also gives the meaning as *muddy river*. Beauchamp gives a Canadian-Delaware name with the same meaning, *A-theth-gua-nee*. Cusick gives *Ka-hun-seh-wa-tan'-yea*, the name also given to the Potomac by the Indians. A. Cusick has *Kah-na-seh-wa-de-u-yea*, sandy, or *Kah-na-se-ne*, nice sand. Evidently different names were given to different portions of the stream, few of them as sweet as the present name. Professor Guss, in an elaborate analysis, gives the meaning as "brook stream," or spring-fed stream.

years ago, who was said to have written some of the best fugitive poems of his day.

Yet the right of discovery must be a divided honor. It has generally been carelessly given to Capt. John Smith, on his own authority, as per his publication and map of 1612. Unquestionably, his river was the Susquehanna, but his own map indicates that he could not have gone much, if any, farther north than the Virginia State line, and many historical students think he was not as far, having made his maps from information given him by Indians.

There yet remains a long distance to the place where the Dutchmen turned off; which, however, was explored only two or three years later by a man who should be recognized as a great explorer and discoverer, and one might say *the discoverer* of the Susquehanna, Étienne Brulé, sometimes called Stephen Brulé, which is a pity; it is certainly foolish to anglicize his given and not his proper name. Butterfield attempts to prove that the three Dutch prisoners did not see the Susquehanna, and, therefore, that Brulé was the *first explorer*, but we prefer to rely on General Clark's decision.

His biographer (C. W. Butterfield) says of Étienne Brulé and his explorations:

"Few, if any, of the early events properly belonging to American history are of more importance after the discovery of the New World than the explorations and discoveries of Étienne Brulé. He wrote nothing, and his verbal recitals, taken from his own lips by Champlain, Sagard¹⁷ and Le Caron, are not calculated to awaken at once the thought that they border on the marvelous."

Butterfield claims that previous to his narrative Brulé had but once been credited with being the first to reach any of the countries, lakes or rivers of which he was the real discoverer or explorer.¹⁸

Étienne Brulé (as Champlain writes it) was born in France about 1592, and came to New France in 1608 with Champlain, who spoke of him in his early narratives as "the young lad." Brulé soon made friends with the Indians, and, by Champlain's request of an Algonquin chief, he was allowed to live among them, learn their language, ways, etc. Champlain was glad of this opportunity, wishing to use him as an interpreter. The boy was a close observer, and was charged to become familiar both with the people and the country. He proved an apt pupil, was kindly treated, and rejoined Champlain on the latter's return from France in 1610.

The experiment of life among the Indians proved so successful that when Champlain returned to France the second time, Brulé, as well as some other young Frenchmen, was sent again among the savages; and on Champlain's second return Brulé became his trusted interpreter on a regular salary.

¹⁷ Sagard wrote "Histoire du Canada."

¹⁸ The author takes this opportunity to give credit again to the investigations and writings of Gen. John S. Clark of Auburn, who made known to us all concerning Brulé in connection with his discoveries some years before the publication of Butterfield's *Mss.* We have followed up every suggested clue of Gen. Clark's, reading Champlain in the original French, etc. Brulé surely was a wonderful explorer, but we have dealt with him only concerning the Susquehanna, and commend our readers to Butterfield's book, "Brulé's Discoveries and Explorations," for further information.

Champlain soon became the friend of the Hurons, who were engaged in war against that invincible foe, the Iroquois. The Hurons were greatly pleased to have as allies the Frenchmen, with their superior arms. As to Champlain's active assistance we will give our own absolutely literal translation from the edition of 1870.¹⁹

"The seventeenth of August I arrived at Cahiagué²⁰ where I was received with great gladness by all the savages of the country. They had received news that a certain nation of their allies (the Carantouannai), who lived three good days beyond the Entouhonorons (Onondagas), wished to assist them in this expedition with 500 men; and make an alliance and pledge friendship *with us*, having a great desire to see us, and that we should make war altogether."²¹

Champlain goes on to say:

"I was glad to have found this opportunity to learn news from this country, which is only seven days from where the Flemish go to trade at the fortieth degree; whose savages (Mohawks), assisted by the Flemish, make war upon them, and take them prisoners and treat them cruelly. But they told us that last year (1614), during war, they (the Carantouannai) took three of aforesaid Flemish, who assisted them (Mohawks).²² Nevertheless they did not fail to send them back—without having done them any ill—believing they were of our party (*i. e.*, French), *having never seen a Christian*.²³ This nation (of proposed allies) is very warlike—there are only *three* villages which are in the midst of more than twenty others, on which they make war. Not being able to have the help of their friends (the Hurons) unless they pass through the country of the Entouhonorons (supposed general name for Iroquois, meaning men alone), which is thickly peopled; or take a very roundabout route."²³

After Champlain's arrival the Hurons resolved to dispatch messengers to secure the promised allies. Champlain thus tells the story (our own translation continued):

"This deliberation having been taken, they dispatched two canoes with twelve of the strongest savages, and one of our interpreters,²⁴ who begged me to allow him to make the journey, and by that means see their country and make the acquaintance of the people who inhabited it. They left the 8th September (1615)—We continue on our road against the enemies—the country is full of forests"—

¹⁹ Champlain's "*Voyages de la Nouvelle France*" was published in Paris, originally in two volumes, the second (from which narrative of Brulé and map are taken) was dedicated "To the most illustrious Cardinal, Duke of Richelieu, Chief Grand Master and General Sur-Intendant." The extracts and maps are from the second edition, published in 1870, under the patronage of the Laval University at Quebec.

²⁰ The chief Huron village near Lake Simcoe.

²¹ Butterfield, on page 56 of "Brulé's Discoveries," adds a note, saying Champlain's memory is at fault concerning promise of allies, but the above translation seems to prove to the contrary, Champlain not even suggesting that said promise was made to Brulé's party.

²² It is supposed these were the Dutchmen already mentioned.

The Italics are our own. This is a most interesting fact of historical importance; it will be remembered it was seven years only after the settlement of Jamestown, and five after the coming of white men to the Hudson, 1614.

²³ Here the editor of Champlain introduces a note of great interest, saying that the name of these allies, "Carantouannai," was probably only a special name, a tribal, or a village name of the Andastes nation; and he quotes as follows from the Jesuit Peré Ragueneau's "Relation des Hurons, 1647-8," Chap. VIII, "Andastoe est un pays au delà de la Nation Neutre éloigné des Hurons en ligne droite pris de cent cinquante lieues au Sud-est, quart de Sud des Hurons. Ce sont peuple de langue Huronne, et de tout temps alliés de nos Hurons. Ils sont très belliqueux, et compte en un seul bourg treize cent hommes portants armes." Literal translation: "Andastoe is a country below the Neuter Nation, distant from the Hurons in a straight line nearly 150 leagues to the southeast by south of the Hurons. They are a people of the Huron tongue, and from all time allied to our Hurons. They are very warlike, and count in one single town thirteen hundred men bearing arms." Champlain's editor adds that, from an attentive examination of old maps and from Ragueneau's writings, he concludes the Carantouannai or Andastes were established near the Susquehanna, towards the southeast of Pennsylvania. ("Southeast" seems an error.)

²⁴ Brulé.

And thus it happened that Brulé was the first civilized man known to have traversed that part of New York State, and, as will be shown, the first, *except the three Dutchmen*, to visit Tioga Point.

It is unnecessary to follow Champlain and the Hurons, whose destination seems to have been the fort at Nichol's Pond, town of Fenner; our interest lies with Brulé and his escort, whose destination, as we have seen, was Carantouan. There is every reason to believe that General Clark's decision as to the location of this town is the correct one; *i. e.*, in Athens Township, on what is now known as "Spanish Hill." Various minor histories give Spanish Hill as located at Waverly, Tioga County, New York, but, while it is close to Waverly, it is really in Pennsylvania. It will be more fully dealt with in the next chapter.

The story of Brulé and his Huron escorts having been recorded, particularly in the writings of Champlain, again we will make use of a literal translation, leaving to the reader to decide some vexed questions, much discussed by present day historians.

It was in 1618, three years later, that Champlain and Brulé were reunited at Three Rivers. Some Indians arrived there, of whom Champlain says:

"They had with them Estienne Bruslé, one of our interpreters who had lived among them eight years.²⁵—he was the one whom I had sent and given a charge to go toward the Entouhonorons to Carantouan, and to bring back with him the 500 warriors whom they had promised to send to assist us in the war in which we were engaged against their enemies.—I asked him why he had not brought the succor of the 500 men, and the reason of the delay, and why he had not advised me; and he then told me about the matter, (of which it does not seem out of place here to make a recital,) being more to be pitied than to be blamed for the misfortunes that he had received in executing the commission. He began by telling me that since he had taken leave of me to go on this journey and execute his commission, he started with the 12 savages whom I had chosen here to guide him, and to act as escort because of the dangers that he had to pass. That they proceeded to aforesaid place Carantouan, but not without running a risk, as they had to pass by the country and lands of their enemies; and to avoid evil designs, they made their way through woods, forests and brush, heavy and difficult, marshy bogs, and deserts very frightful and unfrequented, all to avoid danger and an encounter with their enemies.²⁶ And in spite of this great care Brulé and his savage companions while crossing a plain, could not avoid encountering some hostile savages returning to their village; who were surprised and defeated by said party, some being killed on the field, and two taken prisoners, whom Brulé and his companions took with them to Carantouan, where they were received by the inhabitants with great affection and all gladness and good cheer, accompanied by dances and feasts, as they were accustomed to feast and honor strangers. Several days passed in this good reception; and after the said Brulé had told his mission, and made known the reason of his journey, the savages assembled in council to deliberate on sending the 500 warriors—The resolution having been made to send them, they were charged to assemble, prepare and arm, to leave, and come to join us where our enemies were only 3 short days journey from Carantouan, which said village was provided with more than 800 warriors; well fortified after the fashion of those before described, which have high and strong palisades, well joined together, and their

²⁵ This very evidently alludes to the time since 1608 spent by Brulé among the Indians, though several writers have made it appear that it was eight years after 1615 before Champlain again saw Brulé.

²⁶ Butterfield carefully traces their route as skirting Lake Ontario to mouth of Niagara River, thence through the counties of northwestern New York, and finally through the well known ones of Steuben, Chemung and Tioga.

lodges in the same manner,—These men were very long in getting ready although they were urged by Brulé to advance, he representing that if they delayed too long, they would not find us at place agreed, as it happened that they did not arrive until two days after our departure from the place which we were forced to abandon.— Which led Brulé with the 500 men he had accompanied, to retreat and return toward their village of Carantouan, where having returned Brulé was constrained to stay and spend the rest of the Autumn, and all of the Winter, awaiting an escort with whom to return (to Champlain) and while waiting such an opportunity, he employed himself in *exploring the country*, visiting neighboring nations and lands, and in passing the length of a river which discharges on the coast of Florida (?)²⁷ where there are strong nations²⁸ who are powerful and warlike, who make war on one another. The climate is very temperate and there are a great number of animals and game to be hunted. But to traverse these countries, one must have great patience for difficulties which are to be met in its wildernesses. And, continuing his way along said river as far as the sea, past islands and lands near it, which are inhabited by several nations, and a great number of savages who nevertheless were very natural (kind) loving much the French nation before all others. But those who knew the Dutch complained of them, that they (Dutch) treated them very roughly, Among other things that they remarked is that the winter there is very mild and that it snows very seldom, and when it does, is not more than a foot deep, and melted at once on the ground, And after he had traversed the country, and discovered what was noticeable, he returned to Carantouan to seek an escort to return to us. After some stay at Carantouan five or six savages resolved to make the trip with Brulé, and on their road they met a great number of their enemies, who charged upon them briskly, and caused them to fly, and to become separated from each other."

After this Brulé had many serious experiences among the Iroquois, by whom he was imprisoned, and came near suffering death, but was finally reunited with Champlain at Three Rivers in 1618. Naturally, Champlain was greatly pleased with Brulé's important discoveries, and although he made some errors in his map of a succeeding date, it shows the results of Brulé's explorations.²⁹ We here give a copy of a portion of this map as it originally appeared in early editions of Champlain. There are many *imperfect* copies of it in various books. It will be well to note the town of Carantouan often omitted, but here given. The numbers are a part of those given by Champlain, or his editor, with a corresponding explanatory index, as follows:

58 Pluisieurs rivières des Virginies qui se deschargent dans le Golfe.

Translation—Several rivers of Virginia which empty in the gulf.

60 Pointe Comforte, 62 Chesapeacq Bay, 89 Village renferma de 4 Pallisades ou le sieur di Champlain, fut à la guerre contre les Antouhonorons.

²⁷ Champlain here is no doubt confused. As to Champlain's statement that Brulé found the mouth of the Susquehanna in or near Florida, many historical students have considered the matter and decided that he must have traversed not only the river but Chesapeake Bay, even to the ocean; or at least seen the bay with its tides, and either decided for himself or learned from the Indians that it opened into the ocean.

²⁸ Andastes.

²⁹ And thus, as Benjamin Sulte, the Canadian writer, expresses it, "Georgian Bay and the Chesapeake were connected by Brulé in the spring of 1616, but there were no newspapers in those days, consequently there was no fame—no éclat—around the poor explorer. He played the part of Stanley in Africa, but he added neither a title to his humble rank of interpreter, nor a penny to his purse. At the age of twenty-two he had achieved a great Canadian work." (It is rather amusing to call it a "Canadian work." Why not as well New York or Pennsylvania?) This man's exploits should interest all the residents of our valley, and it is to be hoped that the young people will read more of the true, but exciting, story of his experiences, as found in a book in Athens Library, "Brulé's Discoveries and Explorations."

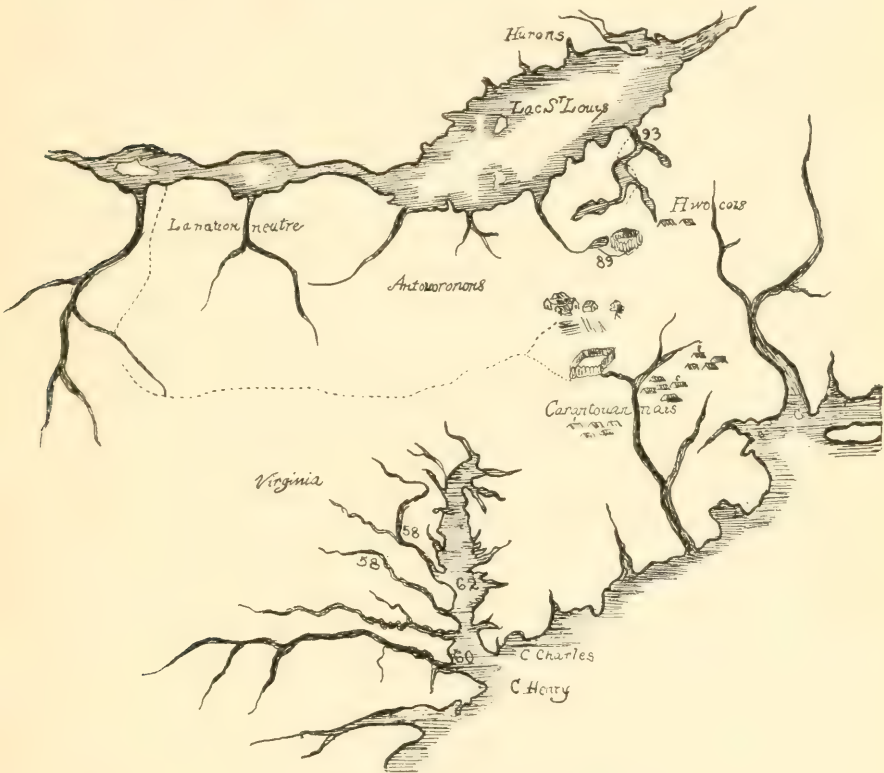
Translation—Village enclosed by four Palisades where the Count de Champlain was at war against the Antouhonorons.

The dotted line is supposed to represent the route of Brulé and party. This map is found in the edition of 1632, which is dedicated:

"To the most illustrious Cardinal Duc de Richelieu Chief Grand Master and General Superintendent of the Commerce and Navigation of France." Our translations and extracts are from the Quebec edition of 1870.

General Clark gives some explanations of these early maps as follows:

"The Adrian Block map of 1614 contains the first information relating to north east branch of the Susquehanna, Capt. Hendricksen in 1616 incorporated



SECTION OF CHAMPLAIN'S MAP, 1632

part of Block map into his chart and extended the river to flow into Delaware bay, claiming the discovery of *three new rivers*, etc. De Laet in 1633 in his map indicated the same river but made it take the place of the Delaware. Champlain in 1632 placed Carantouan in the precise position of the Capitannesses of the Block, Hendricksen, and De Laet maps, and also makes the river a tributary of Delaware Bay. Not until about 1659 was the discovery made that this river was in fact the upper Susquehanna, and that the Indian tribes indicated on these maps, were residents in its vicinity. Then a large part of map was moved to west by Visscher, another map maker³⁰ and connected with the lower Susque-

³⁰ See Winsor's "Narrative and Critical History."

hanna, After studying the maps and Indian tribes as indicated, you will have no difficulty in the identification of Tioga Point at the confluence of the two branches as indicated by Hendricksen, and the Capitanesses in the precise position of Spanish Hill."

Otsego Lake, the source of the Susquehanna, owing to Kleynties' account, was, for a hundred years, depicted as a large lake lying east and west.

Smith's map of Virginia, published 1612, might be mentioned as giving the mouth of the Susquehanna River.

The next map of interest to readers of this history is one "of the Middle States and Great Lakes," in the possession of the Historical Society of Pennsylvania (Morris of Fairhill papers). Unfortunately, it has no name or date, but must have been made by a Frenchman, as all names are in French. While largely like that of Champlain it has one interesting record not found on his, as follows, "Portage de Andastes," and this is from the upper Chemung to head waters of the Ohio. On this the Delaware and Susquehanna Rivers are assigned their real position, Tioga Point not named. Thus the results of exploration are the discovery of the Susquehanna and the evolution of correct maps. And hereafter it may be said that the three Dutchmen and Étienne Brulé were the first white visitors to Tioga Point, of whom there is a known record.³¹

The maps of Pennsylvania should next engage attention, the earliest of which is said to have been made in London in 1690. This is very rare and was included in the Pennypacker collection, lately put on sale, and has not been examined by the writer.

There is a long period between this and the next known map, which was made by Lewis Evans, and called the "Map of Middle Brit-



ish Colonies."³² This was the result of Evans' journey with Conrad Weiser in 1743, and is sometimes called the "Map of Pensylvania, New Jersey and New York, and the three Delaware Counties." The accompanying portion of one of these Evans' maps is from a sketch made by Rev. David Craft, source unknown.

A little later, 1748, the Province of Pennsylvania offered inducements to map-makers, and Lewis Evans evidently made several, copies of which may be found in library of the Historical Society of Pennsylvania, no new discoveries seemingly being made in this locality. One was entitled "A Map of *Pensylvania*, New Jersey & New York, and the three Delaware Counties." The Chemung River has this legend: "Cayuga Branch nearly as large as Schuylkill." The Pennsylvania archives show that Evans issued proposals for a map in 1748, the observations for which were evidently made at public expense. His instructions, as given in Vol. II, page 47, begin by saying the aim of his journey is to gain intelligence of southern and western bounds of Pennsylvania, then not yet settled. He was particularly enjoined to observe soil, branches (creeks) and rivers, places fit for forts, etc.; mines, quarries, etc., and where advantageous settlements might be made on ground the Indians could be prevailed upon to release. The entire instructions are very interesting, but too lengthy for insertion here. Evans' special requirement was 100 guineas, also traveling expenses, provisions, medicines, attendants or guides, and release from possible imprisonment.

In 1757 a map was made by the Surveyor General of the Province, Nicholas Scull, for the Penns. There are also later maps of his in the collection of the Historical Society of Pennsylvania, one of 1770 having "Tioga" on it. This map, and some of Evans', shows Indian trails or paths of travel.

In 1776 was published in London a "Topographical Description of such parts of North America by T. Pownall," which seems to be a new edition of the map of Lewis Evans.

In 1790 a map was made by Adlum and Wallis, on which is given "New Athens" and "Tyoga Point."

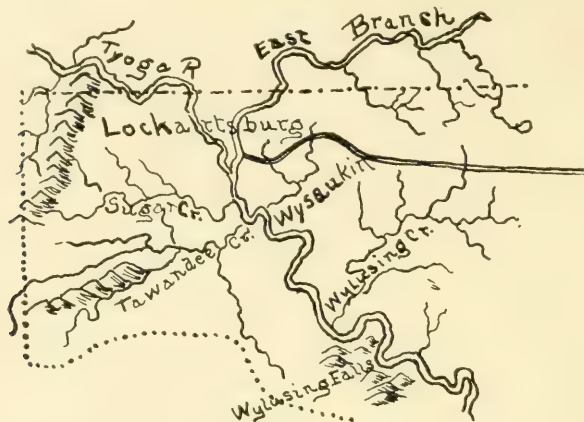
In 1779 Lieutenant Lodge, the surveyor accompanying Sullivan's expedition, depicted Tioga Point and surroundings, making the Point as symmetrical as an arrow point, from which may have originated the name of "Indian Arrow."

In 1795 was published an atlas by Reading Howell, a copy of which is in the Tioga Point Museum, from which the accompanying portion was copied. This map, with the exception of the name of this town, is correct as to all its features. Ulster is called "Sheshequin

³¹ Of course, there are other old maps including this region, those only having been given, parts of which were made as results of visits to Tioga Point region. An interesting series is given in the New York State Museum Bulletin, No. 78, showing various explorations as far south as this. The three Andastes towns are given in Creuxius' map of 1660; *Theaggen* or *Tioga*, on Pouchot's map of 1758; *Tiaoga*, on Col. Guy Johnson's map of 1771; but we do not know how these maps came to be made, as with the earlier ones. In this Bulletin Champlain's map does not show the town of Carantouan as a fortified parallelogram.

³² This map was published by order of Parliament, and has various descriptive notes of great interest, as, for instance: "Where Indian Corn, Tobacco, Squashes & Pompkins were first found"; another, a lake between Oscegonge and Onondoga, apparently the head of the Chenango River, has this legend, "Canoes may come from this lake with a fresh to Penna."

Flats"; Sheshequin "Gores"; and "Shepard's" is at the mouth of Shepard's or Cayuta Creek. Indian trails were given on this map. In 1810 Howell published a new edition, on which Lockhartsburg is changed to "Tyoga Town."



Mention should be made of a historical map prepared for and published by the Historical Society of Pennsylvania in 1875. This map is interesting as giving Indian names for streams and villages, also their trails, though somewhat in error as to this locality. Enough maps have been given or noted to fully illustrate the progress of the discovery of the Susquehanna.

CORALLANA

A POEM BY MINOR

A theme.
As long, as wild, as winding as thy stream.

CANTO I

The august Queen of Night rode high in heav'n,
And shed afar the dewy beams of even:
O'er hills and vales and cliffs, fantastic, wild,
Forests and fields and streams serenely smiled:—
Sportively dancing, hung her silver beam
On the broad breast of Corallana's stream,
Where on the flow'ry bank the bard reclined,
And thrill'd his plaintive measures to the wind.
No sounds assailed the ear of midnight, save
The broken lay, and dashing of the wave;—
When burst to view, on swelling billows roll'd,
An icy car, inlaid with virgin gold.
In watery robe, where moonlight rainbows hung,
And gelid pearls, on threads of silver strung,
Where icy diamonds eyed the midnight beam,
Arose the lovely Goddess of the stream.
She spake, and hush'd were all the rushing waves,

And nereids listened from their crystal caves:
 "Have not the nymphs of muddy Thames and Seine
 Been covered o'er with wreaths of laurel green?
 Shall my praise warble from no poet's tongue
 When Ayr, and Doon, and Tyne, and Ouse are sung?
 Hast not thou often bathed amid my floods,
 And roved delighted thro' my shadowy woods?
 Am I not worthy? view my craggy walls,
 My murmuring ripples, and my thundering falls:
 Green are my meadows, and my hills are high,
 Rich are my fields, and pleasing to the eye;
 Unrivalled flowers deck the banks I lave,
 And wide my forests, tall, unequall'd wave."
 Again the surges dash'd the rugged shore,
 And the sweet silver notes were heard no more.
 "Thy charms, O Goddess, ask a sweeter tongue
 Than e'er of Ayr or Windsor Forest sung:
 Rough is my harp, unequal to the lays,
 A worthier bard shall sweep the notes of praise:
 For distant lands shall bend a list'ning ear,
 And ages yet unborn admiring hear."
 "Thou art my bard," she said, "be thine the task;
 Sing as thou canst; no other boon I ask;—
 To thy pleas'd ear my waves shall sweeter sound,
 My posies brighter bloom thy steps around;—
 The native choir shall hail their youthful bard,
 And these wide vales shall smile a sweet reward."
 A white-wing'd mist enwrapped her gelid car,
 And flying billows roll'd and foam'd afar;
 The icy portals of her ample dome
 Wide oped, and took the goddess to her home:
 The tumbled wave sank weary to its rest,
 And the wide waters smoothed their troubled breast:
 No more rude billows dashed night's placid ray,
 But on their face the broad reflections lay.
 Silence arose upon the flow'ry shore,
 And stretch'd her wings the world of midnight o'er.

* * * * *

No more the nymphs sung vespers on the waves,
 And Echo slumbered in her thousand caves.

CANTO II

To sing the beauties of my fav'rite stream,
 Its winding banks, wild scenes, shall be my theme.
 Columbian muse! O native warbler wild!
 Be near with heav'nly smile, and guide thy child!
 Give to my song like that lov'd stream to flow,
 Now nobly rolling, now serenely slow;—
 Give me to sweetly sing the scenes I love,
 Blue waving stream, high hill, and shady grove;
 The flow'ry valleys, and ambrosial dells,
 Where the thrush warbles, and the rabbit dwells;
 Of lonely forests, far from mortal way,
 Where the dread panther crouches for his prey;
 Where meagre wolves together herd, and where
 'Mid the dark oaklimbs sits the growling bear;—
 Or where the whistling deer, with matchless bound,
 In terror flees the hunter and his hound,
 Here once sole lord the native Indian reigned,
 Unsmoothed by art, and by its crimes unstained:

To shape the arrow and to bend the bow
 Was all the son of nature wish'd to know :
 With these rude arms he roamed the endless wood,
 And the chase brought him pleasure, health and food.
 Strong were his limbs, his heart unknown to fear,
 His vengeance dreadful, and his love sincere.
 Thus were the happy natives of these vales,
 When first loud cannons shook the frightened gales:—
 When first shrill fife and rolling drum afar,
 Proclaimed the coming of relentless war.
 'Twas then the Indian found that all was prey—
 'Twas then he learned to torture, scalp and slay.
 E'en now old camps and ditches oft are seen,
 And bones lie bleaching on the fatal green:—
 Oft rusty spears and arrow-heads are found,
 And broken skulls half buried in the ground.
 Soon thro' the woods the echoing axe was heard,
 Green meadows spread where once dark vales appeared :
 Where tall pines rose was seen the furrow'd plain—
 Where thickets stood, wide wav'd the golden grain :
 Where late the wolf and rugged bear had slept,
 Where elks had herded and fierce panthers crept,
 Now social white men's chimney'd roofs were seen,
 And flocks domestic grazed the new-born green.
 Thy nymph, O river, who had seen before
 But bark canoes, now heard the dashing oar :
 She saw rich-laden vessels stem the tide,
 And winged boats upon thy surface glide :
 Long bridges o'er thy infant arms were reared,
 And where the Indian whooped, the boatman's song was heard.

* * * * *



ALONG THE SUSQUEHANNA

CHAPTER IV

THE ANDASTES

The Car-an-tou-ans and their Towns on the Upper Susquehanna; Car-an-tou-an, Os-co-lu-i, Go-hon-to-to, O-noch-sa-e, Tenk-gha-nack-e and Others—Spanish Hill; Location, Description, Origin, Occupation, Name and Traditions—Some Curious Relics Found on Tioga Point and Nearby

As has already been seen in the chapter previous, the Carantouans were the first inhabitants of this valley of whom there are any written records. General Clark says of them:

"They were Andastes, that much is certain, but this term was a dragnet that gathered in a great number of tribes and nations."

The origin and disappearance of the Andastes is shrouded in mystery, further than that they seemed to belong to the same race as the Iroquois; although, like the Hurons, they were their deadly enemies, and were probably only conquered because of the expert use of fire-arms by the Iroquois. They may have previously migrated to the west branch of the Susquehanna to avoid defeat.

Name.

Gen. Clark says:

"Andastes is a term generically used by the French, and applied to several distinct Indian tribes located south of the Five Nations in present territory of Pennsylvania. They were of kindred blood with Iroquois, and spoke a dialect of the same language. The most northerly were the Carantouans; the most southerly were located at Great Falls between Columbia and Harrisburg. Less is known of their tribes than of some others. No Jesuit mission was among them, though there is frequent reference to them in the Jesuit Relations."

"The French call them *Gandastogûes* or *Conestogas*, the English *Susquehannocks*, the Dutch *Mingwas*. Their own tribal name was *Andastes*, meaning cabin-pole men from *Andasta*, a cabin pole." They were also called *Arontaen*.¹

In 1608 Capt. John Smith explored the lower Susquehanna and made the first report of that gigantic race of warriors, called by him, *Sasquesahannocks*, but generally acknowledged to be the same as the *Andastes*. Captain Smith said they were the finest specimens of men he ever saw, often seven feet tall, "and their language sounding from them as a voice in a vault."² He told of one who measured three-quarters of a yard around the calf of the leg. This great size would suggest the origin of the name *Andastes*. The greater part of their history is derived from Captain Smith's writings and the Jesuit Relations, in which the name has at least twenty different forms, as *Andastoé*, *Andastochonons*, etc. Schoolcraft³ gives the name, from various sources, as *Andastoé*, *Andastogué*, *Gandastogué*, *Conestogoe*,

¹ "Hist. Ready Reference," Vol. I, p. 105, Larned. Prof. A. L. Guss gave an interesting critical analysis of the word *Sasquehannock* in "Hist. Register," Vol. I, No. IV.

² A number of huge skeletons found in the various Indian burial grounds of Tioga have suggested, by the size, that they were *Andastes*.

³ "Hist. Indian Tribes," Part VI, p. 137.

Andastaka, etc. Charlevoix, Colden, Proud, De Vries, Hazard and other early authors all mention *Andastes*. Of more recent authors Parkman, no doubt, gives the fullest account. Other names are said to belong to them, as *Capitanesses* and *Gachooos*, seen on the early Dutch maps, but this is disputed.

Cammerhoff, the Moravian missionary, says, in 1750, the Cayugas called them *Te-ho-ti-ta-chse*. Dr Beauchamp says, "The Algonquins of New Jersey and Pennsylvania termed the *Andastes* *Minquas*. After the Iroquois had subjugated them the whole family (of kindred, including Iroquois) was termed *Mingo*. Thus Logan, *the Cayuga*, is often called a *Mingo*."

The names of the towns are said to have the following meanings: *Car-an-tou-an* means *Big Tree*, although we do not understand the significance. *Onontio* would seem more significant.

Oscolui seems to be the same as Spangenberg's *Osgochgo* or Weiser's *Osealui*, meaning *the fierce*.

Gahontoto, Dr. Beauchamp says, is an Iroquois word meaning *to lift the canoe*. (There are rapids in the river formerly called "falls," at *Wyalusing*.)

The later name, *Wyalusing*, is said to mean *the home of the old warrior*. The original *M'chwilusing* is a Delaware word, therefore of later date. Probably the *Andaste* word was *Gahontoto*. Doubtless, there was an *Andastes* town on the bluff at the north side of the creek at *Meshoppen*. Cammerhoff, or Zeisberger, writes in his journal:

"Came to 3 Delaware huts, the site of a very old Indian Town called *Onochsae*, because immediately opposite there is a mountain near the river which is hollow and looks like a vaulted cellar, and the creek and the whole region have received this name." This was at *Meshoppen* (from *Craft Collections*). Beauchamp says this name meant *hollow mountain* or *cave in the rock*.

Tenkghanache, or *Tunkhannock*, means *Little Creek*, an appropriate name, as the town site was in the angle between the mouth of the creek and the river. Little is known about this town.

Location.

As has already been noted, Smith found these Indians near the mouth of the *Susquehanna* in 1608, and reported that they had many implements of French manufacture, obtained in trade. At the beginning of the seventeenth century they are said to have held the *Susquehanna* River as far north, at least, as the present New York State Line. Previous to 1600 they had waged a destructive war against the *Mohawks* for ten years. And nearly ten years later Captain Smith mentions that the *Sasquehannocks* were great enemies of the *Massawomekes*, as he called the *Mohawks*. Bressani, one of the Jesuits, describes their dwelling place, in 1647, as "*Andastoe*, a country beyond the *Neuter Nation*," 150 leagues southeast by south of the *Hurons* in a straight line, and 200 leagues by trail. Clark thinks this would bring them in the vicinity of *Columbia, Pa.* Clark says:

"Bancroft was mistaken in placing them near *Lake Erie*. Gallatin's and La Houton's maps of 1683 thus place them, *they may have emigrated there to escape destruction.*"⁴

⁴ See also J. G. Shea's notes in Alsop's "*Maryland*," and Parkman's "*Jesuits*."

Early in the seventeenth century it is said the Andastes towns were thickly planted from Tioga to Virginia, forty palisaded. The Jesuit Ragueneau, in 1648,⁵ speaks of them as the allies of New Sweden.⁶ Proud locates the Andastakes on Christiana Creek;⁷ Campanius tells of their town near New Sweden in 1638.

Creuxius, on his very imperfect map of 1660, seems to locate them between the Susquehanna and the Delaware, in southeastern Pennsylvania. But, as has been said, Champlain was the first author to mention the Carantouannai, and their three villages, and to place them on a map. Accompanying this map was a table of explanation, in which he says (literal translation):

"Carantounnai is a nation which is retired to the south of the Antouhonorons,⁸ in a very beautiful and good country where they are strongly lodged, and are friends of all the other nations except the said Antouhonorons from whom they are only three days distant. They formerly took prisoners from the Dutch whom they sent back without doing them harm, believing that they were French."

An accompanying footnote by his editor says: "There is every reason to believe that these were Andastes." In the text, Champlain gives the country as "only seven days' journey from where the Dutch go to trade at the fortieth degree." He also mentions an incident of their encounter with the Mohawks in the previous year, 1614, and again (see Chapter III) he says Brulé found them having *three towns*, which Champlain so locates on his map that one would seem to be on the Chenango River, one east of Athens, and one below Milan. There is no way to-day of locating such towns at such points, although there are many evidences that there was an earlier village on the site of Queen Esther's town, and also across the river at the mouth of Spalding Creek; in each place the ground having formerly been so thickly strewn with arrow points as to suggest great battles before the Indians knew the use of firearms, which would be prior to 1640. However, General Clark and Rev. David Craft, having taken up this matter, decided some years ago that these three towns were Carantouan, on Spanish Hill; Oskolui, at the mouth of Sugar Creek, just above Towanda, and Gohontoto, at the mouth of Wyalusing Creek. In very recent years Dr. Craft has discovered every evidence of an Andaste town at the mouth of Tunkhannock, or Tenkghanake, Creek, also one at Meshoppen. In all these there is a striking similarity of situation, etc. Spanish Hill will be fully discussed in a later part of this chapter. The other three towns were in an exactly similar situation, on a high bluff, in the forks of a creek and a river, well situated for fortification and defense.⁹ Yet at Oskolui there is evidence of an early Indian town on the plain below, as also at Carantouan, though they may have been later than Andastes. It seems, therefore, perfectly reasonable to assume that the Carantouans lived in the river towns where they could cultivate maize, and used the fortified towns as places of refuge when their enemies appeared. For from 1590 to 1675, or thereabouts, it is

⁵ See Vol. 35, p. 193, "Relations."

⁶ Vol. II, Chap. III, p. 294.

⁹ Also of strategic importance, being located where important trails crossed the river.

⁷ On the Delaware River.

⁸ The western division of the Iroquois.

known that they controlled the Susquehanna Valley only by continued fierce and bitter warfare with the New York Iroquois. No doubt their chief stronghold, *because the largest*, was on Spanish Hill. A very great battle must have been fought at Wyalusing, as is evidenced by the great number of arrow heads found on the river plain just below the present bridge after the great flood of 1865 (many of which are in the Bixby collection in the Tioga Point Museum, and were found in *one week* after the flood). It was of the town Gahontoto that Zeisberger and Cammerhoff say:

"Here the Indians tell us there was a war in early times, against an Indian town, traces of which are yet visible, cornpits, etc. This was inhabited by a distinct nation, neither Iroquois nor Delawares, who spoke a peculiar language, and were called Tehotitachse, Against them the Five Nations warred and routed them out; the Cayugas for a time held a number captive, but the nation and the language are now exterminated and extinct. This war, said the Indian fell in the time when the Indians fought in battle with bows and arrows before they had guns and rifles."

This must have been prior to 1640 as Plowden's New Albion says: "The Swedes hired out three of their soldiers to the Susquehannocks, and have taught them the use of our arms and fights." It was about this same time that the Dutch sold firearms to the Iroquois, indeed, Egle writes:

"From 1640 the Five Nations were supplied with firearms, and soon devastated the tribes on the upper Susquehanna, thus opening the way to lower tribes on river on whom they commenced in 1652."

These two statements, taken in conjunction, lead us to suppose it possible that the Carantouans were routed from their upper fortified towns prior to 1640, which led them to apply to the Swedes, so that they might compete with their enemies in the use of firearms.

Wars.

Toward the end of the seventeenth century the Mohawks, after a great struggle, seem to have overcome their enemies. "Then the Andastes harassed them and they were in great fear, but the Dutch came and gave the Mohawks guns, and they were again victors." It was during an encounter with the Mohawks that the three Dutchmen were taken prisoners by the Carantouans in 1614 (see Jesuit Relations of 1660).

In 1633 De Vries found the Andastes at war with the Algonquin tribes on the Delaware. They were friendly to the Dutch, and also to the Swedes, who came in 1638, but there is little definite history of them from 1618 to 1640. The following accounts of these wars are from the writings of Parkman and Dr. Egle, drawn from the earlier writers, which have also been examined by the author, De Vries, Schoolcraft, Hazard and others, although the most fruitful source of information unquestionably is the Jesuit Relations.

"1645-48 marked the period of the fiercest struggle between the Hurons and the Iroquois. The ancient country of the Hurons is now the northern and eastern portion of Simcoe County, Canada West on the shores of Lake Huron. The area was small its population comparatively large; by Jesuit computation in 1639 a total estimate was twenty thousand. Their populous towns, rude but effective fortifications, and extensive tillage indicated a people far in advance of the Indians on the Saquenay, and in New England. They were allies of the

Algonquins but not of them. They utterly disappeared, but the Jesuits gave a faithful picture of them in every respect." See Lalemant and Ragueneau.

How this quarrel began no man can tell; the first white men who came to the region having found it in full force, and seeing it increase in fury. In the winter of 1647 the Hurons felt themselves on the verge of ruin, having been ravaged by pestilence (fever and small-pox) as well as war. Remembering their ancient friendship with the Andastes, a kindred nation, they sent an embassy to ask of them aid in war, or intervention to obtain peace, asking them as kinsmen to hear "the voice of their dying fatherland." The way was long, having to make the wide circuit about the Iroquois. The embassy, bearing the usual wampum belts and gifts, started the 13th of April, 1647, and reached the great town of the Andastes in June. It contained, as the Jesuits were told, no less than 1,300 warriors, trained by Swedish soldiers as aforesaid. The council assembled, and the chief ambassador addressed them, according to Ragueneau, as follows:

"We come from the country of the Souls, where war and terror of enemies has desolated everything; where the fields are covered only with blood, and the cabins are filled only with corpses, and life is only left to ourselves, because there is a need to come and speak to our friends, that they will have pity on a country which draws near its end."¹⁰

He then presented wampum and other gifts, saying they were the voice of a dying country. The Andastes returned a favorable answer, but were disposed to try diplomacy, which should help themselves as well as the Hurons. After a series of councils they decided to send ambassadors to the three central tribes only of Iroquois; as they had with the eastern tribe of Mohawks a mortal quarrel, and evidently felt uncertain about the Senecas. Their plan then was that the Hurons could concentrate their force against the Mohawks, whom the Andastes would attack at the same time, unless they humbled themselves and offered to make peace. It will be seen that the Andastes *knew or assumed* that the league of the Iroquois was not a unit in action or council. It is unnecessary here to explain how this plan failed, suffice it to say that the Hurons were exterminated.¹¹ In 1648 the Mohawks were aiding the upper Iroquois (against the Petuns), having their promise to fight against the Andastes as soon as the western warfare was over. By 1656 one enemy of the Iroquois alone remained, the Andastes, who, though inferior in numbers to all other tribes conquered by the Iroquois, yet cost their assailants more trouble than all these united.

The Mohawks seem at first to have borne the brunt of the Andaste war, being so roughly handled by these stubborn adversaries between 1650 and 1660 that they were, according to the Jesuits, reduced to depths of dejection. It is said that in 1660 the Mohawks invited these Indians to be friends with them, and accompanied them to the south to attempt a reconciliation with the Minquas. They seem to have been unsuccessful, as about this time the four other nations took up the Andastes quarrel, and for a time they fared scarcely better.

¹⁰ Literal translation from the French of Ragueneau, according to Parkman.

¹¹ See Beauchamp's "Hist. N. Y. Iroquois," p. 194, for full account of the destruction of the Hurons.

"In 1651, the Iroquois, grown insolent by their success in almost annihilating their kindred north and south of Lake Erie, provoked a war with the Susquehannas, plundering their hunters on Lake Ontario. During that year the small-pox, that terrible scourge of the aborigines, broke out in their town, sweeping off many and seriously enfeebling the nation. War had not begun in earnest with the Five Nations, and though the Susquehannas had some of their people killed near their town, they pressed the Cayugas so hard that they retreated across Lake Ontario to Canada. They also kept the Senecas in such alarm that they no longer ventured to carry their peltries to New York, except in caravans escorted by 600 men, who even took a most circuitous route. A law of Maryland, passed May 1, 1661, authorized the Governor of that Province to aid the Susquehannas.

"Smarting under constant defeat, the Five Nations solicited French aid, but in April, 1662, the Senecas and Cayugas raised an army of 800 men to storm the fort of the Susquehannas. This fort was located about fifty miles from the mouth of the river, says Egle. (?) The enemy embarked on Lake Ontario, according to the French account, and then went overland to the Susquehanna. On reaching the fort, they found it well defended on the river side, and on the land side with two bastions in European style with cannon mounted, and connected by a double curtain of large trees. After some trifling skirmishes the Iroquois had recourse to stratagem. They sent in a party of twenty-five men to treat of peace, and ask provisions to enable them to return. The Susquehannas admitted them, but immediately burned them all alive on scaffolds before the eyes of their helpless countrymen, and the Andastes told the Iroquois this was but a circumstance to what they would do when they came among them. The force of the Iroquois, according to Proud and Hazard, consisted of 1,600 warriors (Parkman says 800), while that of the Susquehannas was only 100, although it is said they had 50 white men in the fort to assist them. On the retreat of the Iroquois, the Susquehannas persued them with considerable slaughter. About this time the small pox raged in the Iroquois towns and prevented any serious attempt at revenge.

"The Cayugas seem now to have felt the greatest enmity toward the Andastes, also fear; it is recorded by Dr. Beauchamp that in 1667 they now had some villages north of lake Ontario which were safe from the Andastes. The Andaste war now became a war of inroads and skirmishes, under which the weaker party gradually wasted away, though it still won occasional victories.

"In the fall of 1669 the Andastes after defeating the Cayugas, offered peace but the Cayugas put their ambassador and his nephew to death, after retaining him five or six months¹²—the Oneidas at this time sent some Andaste prisoners to Cayugas with forty wampum belts to maintain the war. At this time, 1670, the great war chief of the Susquehannas was one styled Hochitagete, or the *bare-footed*; and raving women and crafty medicine men deluded the Iroquois with promises of his capture and execution at the stake; a famous medicine man of Oneida appeared after death to order his body to be taken up and interred on the trail leading to the Susquehannas, as the only means of saving the Oneidas from ruin. Toward the summer of 1672 a body of forty Cayugas descended the Susquehanna in canoes, and twenty Senecas went by land to attack the enemy in their fields; but a band of sixty Andaste or Susquehanna boys, the oldest not over sixteen, known as Burnt-knives or Soft Metals because as yet they had taken no scalps, though fierce, attacked the Senecas and routed them, killed one brave and took another prisoner. Flushed with victory, they pushed on to attack the Cayugas, and defeated them also, killing eight and wounding more."

Indeed, they were reported by Dablon, the Jesuit, to have come home half dead with gashes of knives and hatchets, and he adds:

"May God preserve the Andastes and prosper their arms, that the Iroquois may be humbled—none but they can curb the pride of the Iroquois."

¹² The Iroquois, in revenge for the burning of their warriors in the fort, embraced every opportunity to capture and burn the Andaste *girls and women*, as related by the Jesuits. In 1667 four women were burned at the stake at Oneida; in 1668 a "Gandastogué" girl at Onondaga. And there were continued chance allusions to such prisoners up to 1673.

But their only strength now lay in their fierce courage, for at this time they were reduced by war and the ravages of smallpox to only 300 warriors, and were soon overthrown. While there is, unfortunately, no definite account of their final subjugation, the Jesuits, in the Relations of 1675, tell of the pride of the Iroquois since the defeat of the Andastes after a continuous struggle of fourteen years.

Extermination.

Egle says :

"In 1675 according to the Relations Inédites and Colden, the tribe was completely overthrown, but unfortunately we have no details whatever as to the forces which effected it, or the time or the manner of their utter defeat. The remnant, too proud to yield to those with whom they had long contended as equals, and, by holding the land of their fathers by sufferance, to acknowledge themselves subdued; yet too weak to withstand the victorious Iroquois, forsook the river bearing their name, taking up a position on the western boundaries of Maryland, near the Piscataways. Shortly after they were accused of the murder of some settlers, apparently slain by the Senecas."

Beauchamp says that in 1677 a party of Oneidas, Onondogas and Senecas went south, killed some Susquehannas and took some prisoners. They were probably the marauding party.

"After this accusation of murder the Susquehannocks sent five of their chiefs to the Maryland and Virginia troops, under Col. John Washington, who went out in pursuit. Although coming as deputies, and showing the Baltimore medal and certificate of friendship, these chiefs were cruelly put to death. The enraged Susquehannas then began a terrible border war, which was kept up until their utter destruction."

Some writers say that later they were allowed to return to their old country and settle on Conestoga Creek, as a tributary outpost of the Iroquois, and were subsequently known as Conestogas, and so mentioned in treaties. The handful of Conestoga Indians murdered a hundred years later by an infuriated mob were supposed to be their descendants.

While the Mohawks had been such bitter foes it is worthy of note that in 1675, when the Senecas wished to exterminate the remnant of Andastes, the Mohawks said they were their brothers and children, and might live with them. Colden says that the Iroquois removed a portion of them to a location higher up. These may have been the Onontogas mentioned in the Jesuit Relations, 1670, Chapter IX.

In Deed Book VI, 28, in the Secretary's office, Albany, is a commission to Col. Coursey, from the Governor of Maryland, dated 30th April, 1677, in which it is stated that :

"The said Susquehannos have lately desired to come to a Treaty of Peace with his said Lordship (Baltimore), and have (as I am informed) since ye said Overture submitted themselves to, and putt themselves under the protection of the Cinnigos (Senecas) or some other natyon of Indyans residing to ye Northward of this Province."

It would hence appear that their conquest occurred about 1676.

The following letter of Sir Edmund Andros to the Governor of Maryland is self-explanatory :

"I writt to you lately by a Ketch of this place, giving you an Accot. of my return from Albany, & state of things here, & of my engaging Maquas & Sinnekes, not anyways to injure any Christians to the Eastward, & particularly in

yor parts Southward, in their Warrs with the Susquehanna's; but others apprehending it would bee difficult to restrain those People, especially Young Men, when soe farr abroad, & Opportunities, I did endeavour to bee rightly informed of things relating to that Warr, & found that the Susquehanna's being reputed by the Maques of their Off-Spring, that they might be brought to joine Peace or Concorporate again, and soe take away the Occasion of those Mischiefs or Inroads, though I find still the Sinneques wholly adverse to it; desiring their Extirpacion, but hearing now of Indyan Troubles wch. hath lately occasioned raising forces in yor parts, I have sent the Bearer expresse to wait on you herewith; And if it bee by the Maques or Sinneques againe to offer you my Service according to my former and this Letter, which I hope & beleieve may be effectually, if taken in time. And therefore pray yor Answer & Resolves as soon as may bee: And if you think good would desire some from the Susquehannas to come to mee as soon as can bee, that so I may Order Matters accordingly. Wee are (I thank God) very quiet, not the least stirr or Attempt on any part of the Government. However have made all fitting Preparation for all Events. I am

Sr Yor Most Humble Servant

"N. Yorke Octobr 21st 1675."

"E. ANDROS."

(From N. Y. Colonial Doc.)

In 1695 one hundred Senecas and Cayugas were reported as going against the Andastes (in ignorance of the cessation of hostilities). About 1700 Governor Penn bought land of the Conestogas, to which the Iroquois assented, which indicates that at the conquest they were allowed to retain some of their Susquehanna lands. In 1709 an important council was held at Conestoga, the governor being present. In 1712 the Conestogas were at war with the Tuscaroras and other southern Indians, having taken the English side. August, 1722, an important council was held with the Indians at Albany, the Governor of Pennsylvania being present. At this time the Five Nations acknowledged the sales of land made by the Conestogas; the latter, however, claimed that the Five Nations, as a body, had no title to Susquehanna lands, and, indeed, that *only the Cayugas* claimed them, and they (Conestogas) wished the matter settled.¹³ This surely indicates that the Andastes were not forced to relinquish all of their territory. A Seneca chief said the Susquehannocks had a right to sell their lands *until their conquest in 1677*. The Governor of Pennsylvania told the other governors that the Conestogas spoke the same language as the Five Nations, but paid them tribute. At the Lancaster treaty of 1744 (as related by Colden) the speech of the Deputies of the Six Nations contained this interesting remark:

"We don't remember that we have been conquered by the Great King (of England) or employed by him to conquer others. We do remember we were employed by Maryland to conquer the Conestogas, and that the second time we were at war with them we carried them all off."

In December, 1794, the famous Joseph Brant, in writing to Colonel Pickering concerning former Indian possessions, said:

"The whole Five Nations have an equal right one with another, the country having been obtained by their joint exertions, in war with a powerful nation, formerly living south of Buffalo Creek called Eries, *and another nation then living at Tioga Point*; so that by our successes all the country between that and the Mississippi became the joint property of the Five Nations."

¹³ Dr. Beauchamp says that some Cayugas went to Pennsylvania in 1723 to settle the matter, and many chiefs to the council at Stenton in 1736 with the same purpose.

The Eries were conquered about 1654. Must not the "nation at Tioga Point" have been some branch of the Andastes? Alas, that Brant was not more explicit.

Certain it seems to be that the Andastes, remarkable, brave and fierce to an unusual degree, were finally compelled to succumb to the "Romans of America," the Iroquois, *leaving no definite record* of the occupation and abandonment of their numerous towns on the upper Susquehanna, nor of their final subjugation. It has surely been an error, however, to assert that they were destroyed before the use of firearms, as these foregoing pages show that they had the use of them about forty years before their disappearance. The Dutch sold firearms only to the Iroquois it is said, but the Andastes obtained them from the Swedes and English. Surely their town sites should receive careful attention from those interested in archaeology and ethnology; there may then be many secrets yet to be revealed.¹⁴

"Ye say that all have passed away, the noble and the brave;
That their light canoes have vanished from off the crested wave.
That 'mid the forest where they roamed there rings no hunter's shout,
But their name is on your waters, ye may not wash it out;
Their memory liveth on your hills, their baptism on your shore,
Your ever living waters speak their dialect of yore."



SPANISH HILL, FROM SOUTHEAST

Spanish Hill, Location, Description, Origin, Occupation, Name and Traditions.

Of the many points of historic interest in our valley, perhaps none has attracted more attention or roused more speculation, from the earliest times to the present, than the mound called Spanish Hill. This prominence is due not only to its unusual position (isolated from the hill ranges of the regions), but also to its odd outline, the remains of fortifications on the top, and *its present name*. Its outline is called by man a "truncated cone," and by woman "*a scalloped cake tin turned upside down.*"

¹⁴ Considerable attention has been given to the Andastes by Prof. Guss (see Hist. Register, Vol. 1, page 165). He says it is claimed that the chief town of the Sasquesahannocks was *always* near the mouth of the Conestoga Creek. But he also mentions other sites as near Conewago Falls and at the mouth of the Octoraro, and thinks it impossible to exactly locate the town designated by Smith. Professor Guss gives the Andastes or Sasquesahanocks the name Brook-stream-landers or Spring-Water-Stream-Region-People.

Spanish Hill stands out from the encircling hill ranges, at the head of the plain where the two valleys converge, about five miles above the point of union of the rivers, within sight of the town of Waverly, New York, although it is in old Athens Township, Pennsylvania. A fair idea of its location may be obtained from the frontispiece of this volume (though it only appears as a small mound); the artist, however, has placed it too far from the Chemung River. The hill has an elevation of about 230 feet above the plain, and 280 feet above the river level, but seems much higher.

One may be amply repaid for ascending it by the superb view of both river valleys and their hill boundaries. It is impossible to picture this either by pen or camera. A recent visit on a summer morning, when the sky was full of fleeting clouds, revealed an exquisite panorama of hill and valley softened by cloud shadows; and one might say in the valley at one's feet lay groups of trees almost like stretches of forest; for so, in summer, appear the sister towns of Athens, Sayre and Waverly. Even the brush of an artist could not faithfully depict this lovely landscape, because it stretches out on *every* side. No better place can be imagined from which to study certain physiographic or geological features of the valley, and it is often the resort of some teachers with classes of students in physical geography. It seems, indeed, a worthy height to be crowned, as has been lightly suggested, by an Acropolis, or even a temple to the Sun-God.

Another vivid impression, but of the works of man rather than nature, is obtained by pacing around the brow of the hill and realizing the great labor involved in the erection of such extensive breastworks (perhaps a mile in length), in a day when the spade, pick, etc., were unknown. The hill is 1,000 feet above sea level. In outline it is wonderfully symmetrical on three sides, with regular depressions running down from a nearly level top, which is about eleven acres in extent. This is the view shown on page fifty-one. At the north, however, it is very irregular, as will be seen in a later picture. While, to the inhabitants of the valley it has always seemed unique, similar elevations, though less prominent in position, may be observed near Barton, Union, Elmira and in the Cohocton and Genesee Valleys, all of which are doubtless relics of the great Ice Age, and in many cases fortified by the Indians.

The earliest recorded description is doubtless that of the Duke Rochefoucault de Liancourt, a French traveler of 1795, who, en route to Niagara, saw the hill and thus wrote of it:

"Near the confines of Pennsylvania a mountain rises from the bank of the river Tioga (*Chemung*) in the shape of a sugar loaf upon which are seen the remains of some intrenchments. These the inhabitants call the *Spanish Ramparts*, but I rather judge them to have been thrown up against the Indians in the time of M. de Nonville.¹ One perpendicular breastwork is yet remaining,

¹ According to Documentary Hist. N. Y., Vol. I, the Marquis de Nonville was sent over by the French King with instructions to do all in his power to establish the French colony, now known as Canada. In pursuit of this object in 1685 or 1687 he led an expedition against the Iroquois into the Genesee country, and though he waged quite a war, and threw up some earthworks, we find nothing to warrant the supposition that he penetrated as far as this valley with his troops. A fortification at East Bloomfield, Genesee Valley, is attributed to him; also at Victor, Ontario County.

which, though covered over with grass and bushes, plainly indicates that a parapet and a ditch have been constructed here."

Probably the next record is that of Alexander Wilson, the celebrated ornithologist, who wrote a long poem entitled the "Foresters," descriptive of his journey from Philadelphia, along the Susquehanna, in 1804. After describing the location of Athens, he continues:

"Now to the left the ranging mountains bend
And level plains before us wide extend;
Where rising lone, old Spanish Hill appears
The post of war in ancient unknown years.
Its steep and rounding sides with woods embrowned,
Its level top with old intrenchments crowned;
Five hundred paces thrice we measured o'er,
Ere all its circling boundaries we explore,
Now overgrown with woods alone it stands,
And looks abroad o'er open fertile lands."

Origin.

As to the origin or formation of Spanish Hill it has ever been a matter of conjecture; but the general impression *has been* that it is artificial, or partially so. It seems, unlike the neighboring hills, to have no rocky foundations, and to be built up of a mixture of clay, gravel and loose boulders—a fact that has always lent color to the theory of its artificial formation. It has been generally attributed to the Mound Builders, that strange race who raised huge earthworks, carefully shaped in designs so enduring that their age can only be guessed. Many of these mounds (used as places of sepulchre) have been found in the great river valleys of the west, but *also in the river valleys* are many natural formations which rival the work of the Mound Builders in regularity of outline and apparent design. The writer was particularly impressed with this fact when traveling through the so-called Bad Lands of the Yellow Stone Valley. The glamor which had always surrounded Spanish Hill sank into insignificance, when, during nearly two days of travel by rail, counterparts of our hill continually came to view. And yet the level top and regularly scalloped sides *do suggest* that at least it was modelled to its present dignified and graceful outlines by patient toiling hands.

Those who have studied it in the past century have found it a knotty problem. Judge Charles P. Avery made a careful survey and examination in 1835, and embodied the results in a paper read at the Old Settlers' Meeting in Athens in 1854.² His conclusions as to its formation were correct, yet made little impression on those who came after. In 1872 Dr. Bullock, of Smithfield, wrote a somewhat lengthy article as to his theories, closing by saying:

"There is no harm in the indulgence of a passing thought that Spanish Hill was constructed by men long before the discovery of America by Columbus."

Sidney Hayden, in the first Athens newspaper (the *Scribe*), June, 1842, began a proposed series of essays on the geology of Tioga Point. He described Spanish Hill, but never continued the sketches, and gave

² Published in the St. Nicholas, a monthly magazine printed at Owego in 1853 and '54—few copies now in existence.

no theory of formation. The name has given rise to the conjecture that the mound was raised by Spaniards.

Examination of the formation easily disposes of the Mound Builder theory, and it goes without saying that no Spanish force of sufficient size ever could have reached this valley and left so slight a record. It would have required a great number of people a long time to accomplish such a work, and could hardly have been possible with a passing expedition like the French or possibly Spanish.

An amusing account of Spanish Hill, and ingenious theory of its origin, is found in Priest's "American Antiquities," page 251, published in 1833. Having attributed certain old fortifications (said by Humboldt and others to have been found in Canada) to the Scandinavians, he continues:

"There are the remains of one of these efforts of *Scandinavian* defence situated on a hill of singular form on the great sand plain between the Susquehannah and Chemung rivers, near their junction. The hill is entirely isolated, about $\frac{3}{4}$ mile in circumference and more than 100 ft. high, supposed to be artificial, and to belong to ancient nations. However the inhabitants around it do not believe it artificial, on account of *large stones* on its sides, too heavy to have been placed there by man. On the surrounding *plain* are many deep holes of 20 or 30 rods circumference, and 20 ft. deep, favoring a belief that from them *the earth was scooped to form the hill with*.—But whether the hill be artificial or not, there are on its top the remains of a wall, formed of earth, stone and wood, which runs round the whole, exactly on the brow.—Within is a deep ditch or entrenchment, running round the whole summit; from this it is evident a war was once waged here. *And were we to conjecture*, we should say, between the Indians and the Scandinavians; and that this fortification is of same class as those about Onondoga (Syracuse), Auburn and the lakes. As it is known the Scandinavians did not make settlements earlier than 985, there cannot be a doubt but they had to fight their way among the Indians more or less."

The rest of this chapter, dwelling on relics that were possibly Scandinavian, certainly goes far afield in conjecture, and is very astonishing. The ingenious author does not suggest how the tons of earth may have been conveyed from the pond holes of the plains to Spanish Hill.

About thirty years ago General John S. Clark examined the hill and suggested the correct theory of formation, to which few in this locality gave heed. At this time a local geological war was waged in the columns of the *Waverly Advocate*, presumably between Sidney Hayden and W. F. Warner. Nothing accurate resulted from this. It is only within the last ten years that a local geologist (Mr. Isaac P. Shepard) has come forward with the scientific theory for the origin of the hill. Having had opportunity to investigate the formation, during extensive cuts made by the railroad, he was able to positively pronounce the hill *a natural curiosity*, the theory of formation being explained on a sound scientific basis, as General Clark had already suggested.

It may, however, be remarked that Robert Howell, long a correspondent of the Smithsonian Institute, had propounded the same theory in print.³ It is high time to abandon all foolish conjectures as to the

³ See Hist. Tioga County, N. Y. Howell says: "Spanish hill is a moraine composed of round stones of all the shales from size of quart bowl down to half that size, appearing as if broken up for a great road. Around north side are several large pot holes."

origin of the hill. Mr. Shepard embodied his impressions in a paper written for the Tioga Point Historical Society in 1898, of which use is here made by his permission. Having first given a brief description of the Ice Age and action of glaciers (as made known to the world by Prof. Agassiz), he goes on to prove that Spanish Hill is part of a terminal moraine, saying:

"The true terminal moraine of the Continental ice sheet crossed the Susquehanna valley at the extreme southern point below Wilkes-Barré. But, during the decline of the Ice age when the front of the ice sheet was retreating northward, it paused long enough at several points to leave considerable deposits which are known as Moraines of Retrocession, which usually consist of a tumultuous assemblage of sharp gravel and boulder ridges with steep knolls, and also deep depressions called kettleholes."

According to the map made by G. F. Wright,⁴ it is evident that the first moraine of retrocession crossed this valley somewhere near the State line, and it was easily recognized by Mr. Shepard in the gravel ridges of Ellistown, the kettle holes near Hayden's Corners, and *Spanish Hill*, which is probably the most unique feature of this moraine. It may also be called more familiarly a "drift mound," many of which are to be observed near the line of termination of the glaciers. The reader will more fully understand the origin by reading the geological observations in the first chapter, the sources of which have here been repeated to emphasize the truth of the origin of the hill. Prof. Tarr, being questioned, replied⁵ that while he has not spent much time on the hill, he considers it:

"A morainic deposit, formed marginal to the ice, in *standing water*;⁶ deposited when the glacier was receding from this region. It has been trimmed somewhat, both by the modern Chemung and by a little creek which comes down from the north, so that it is only a remnant of its former self, size and shape, however *it would be rather difficult to assign to this its exact origin, as to the specific manner of accumulation since the cause (ice) which produced it is now gone.*"

Dr. Frederic Corss (from his boyhood recollections) included a description of Spanish Hill in a paper on the drift mounds of the Susquehanna, in which he thinks that there was a rock core which held the hill in place when the valleys were washed out. No investigation has proven this, but Dr. Corss has given such a vivid picture of probable happenings that it may assist to an understanding. He says:

"The glacier which covered the watershed of the upper Susquehanna has retreated under increasing warmth as far as Southern New York. The whole region is swept by an enormous torrent of water, loaded with mud, ice and boulders. Confined by the narrow gorge from Ulster to Towanda the descending flood is checked. Perhaps the narrow pass is obstructed by real inland icebergs. So the swift, onward rush is stopped, and the whole valley of Athens becomes a somewhat tranquil lake, the water flowing over the tops of the lower surroundings hills, as is still evident from water grooving in many places. The cobblestones and coarse gravel settle first at the head of the valley, and the fine sediment and sand at the lower part. The stratified sediment gradually becomes deeper until the whole valley is silted up to the level of top of Spanish Hill. After years the great flood subsides, the winter freezing is less severe, the ice gorge (at Ulster) gives way; the waters sweep through their present channels and slowly carry with them the drift material which has filled the

⁴ See "The Ice Age of North America."

⁵ Personal letter, 1906.

⁶ If in *standing water* the hill would be stratified, *which it is not*, where cut into.

valley. (But the knob of rock above Spanish Hill stops the current, protects the debris below it from the force of denudation and the hill remains, a symmetrical and wonderful record of its own origin.")

The part in brackets we are inclined to question, the protecting rock formation seeming to have been farther north beyond the present railroad tracks. Another theory of a trained geological student is as follows, and is evidently the same as McFarlane's and some present theorists:

"Stand on one of the overlooking hills and picture to yourself the two great valleys full of water rushing down from the melting ice. Where the two currents struck each other full force, it would require little to set a whirlpool in motion. In this the debris carried by the water would be caught and finally deposited. This would form a nucleus around which material would gradually be built up to a hundred feet or more. Then as the waters gradually subsided, this would be left high and dry between the two rivers. Symmetrical it was probably from the first, and the washing down of streams along its sides would have scooped out its regular scallops. Man doubtless leveled the top,—and there you have the hill as it is to-day."—E. M.

The irregular portions at the north of Spanish Hill are probably eskers, and the gullies, according to the geologist, may be the beds of glacial streams which probably often formed under the ice, since so near the ice front much of the drainage must have been sub-glacial. Naturally there was often more sediment than the streams could carry away, which was deposited in these irregular shapes. The accompanying plate gives an idea of the so-called eskers of Spanish Hill, and indicates that there was once a good sized stream on the north side of the hill. Mr. Shepard says:

"Spanish Hill is probably the most recent geological formation in the valley, *yet it was old when the pyramids were new*. The rude spade of the Mound-builders did not help in its construction, though it was a Gibraltar to the red man and their villages clustered around it. Now it no longer looks down upon the forest, but upon the railroad, the trolley, and the homes of man. The Tioga Point Historical Society should act as its guardian, and use every means to preserve its earthworks."



SPANISH HILL, FROM NORTHEAST

In an essay by E. G. Squier on "Ancient Monuments of the United States," which was published in Harper's in 1860,⁷ are many

⁷ After writing this chapter we found in Cornell Library a volume entitled "Antiquities of the State of New York," by E. G. Squier. Investigations undertaken under the New York Historical Society and Smithsonian Institute in 1851. This volume has many illustrations, among which, on page 53, is an excellent cut of Fort Hill at Elmira.

illustrations showing how such eminences as Spanish Hill were fortified. It seems somewhat peculiar that this hill was neglected by this writer, as he worked all around it. According to him the said monuments are "*Works of Defense, Religious Structures or Sepulchral Monuments.*" The former, generally called Indian forts, were most frequent in districts remarkable for fertility of soil, abounding in fish and game, and possessing the greatest number of requisites for easy subsistence, and, therefore, favorable for permanent establishments. Spanish Hill was, no doubt, such a point, and if the glacial age passed away, as is estimated, ten thousand years ago, who shall say *how long* Spanish Hill has been fortified and occupied?

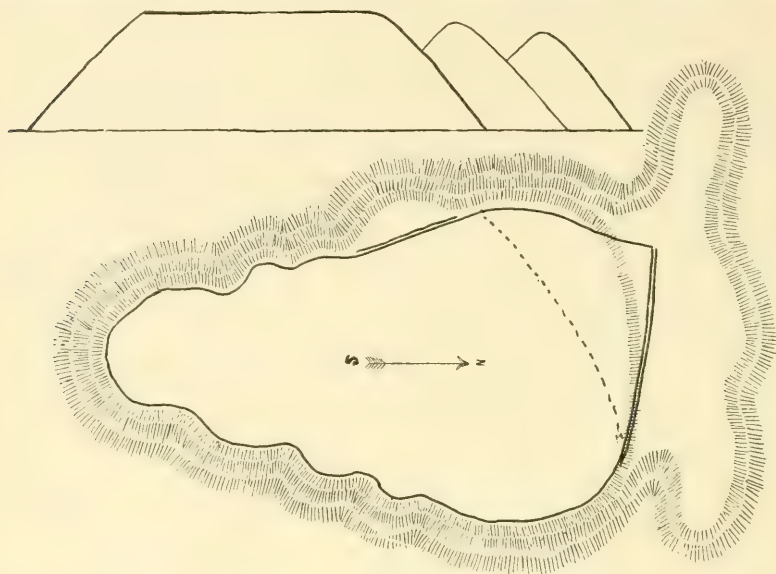
"The defensive works of *all primitive people*," says Squier, "consist of a simple embankment and a ditch; sometimes a palisade of upright logs *on top* of embankments. It is impossible at this late day to decide if the breastwork on Spanish Hill was or was not capped by a palisade, although it is very probable." The embankments, according to Squier, were seldom more than four feet high, with an *exterior* ditch of equal depth. It will be noted, Mr. Shepard says, "a ditch behind," which we would infer meant on *interior*. Such defensive structures, erected by primitive peoples, have been found in many parts of the world, but the time of occupancy can seldom be determined.⁸

This *had been carefully examined* by Squier some years before the publication of the above. He says: "Across the neck of land connecting with adjacent tablelands are carried two lines of ditches and embankments, the latter about three feet high." Rising along the crest of each embankment was a depression which, on careful examination, proved to be holes left by decay of palisades. Squier thought this good evidence that all earthworks might have been crowned by palisades, but he gave no decision as to builders or time of occupancy.

⁸ Galatian, in his "History of the Chemung Valley," thus describes the similar hill near Elmira. He says: "On the eminence about two miles west of this city, known as Fort Hill, is probably one of these land-marks of the distant past, or at least of the earliest wars between the French and Iroquois. But the Indian traditions (according to Col. Hendy, the first white settler in the valley) could not account for its purpose or inform at what period the work was built. This would lead one to suppose that its existence dates back, anterior to the incursions of the French from Canada into the Iroquois country. This eminence is on the south side of the Chemung River, while the opposite side is bordered by a deep ravine, forming quite a precipitous hill. In modern times, a mill dam across the river just below expanded it into a broad, deep bay front, which swept gracefully around the bold, outjutting headland, and the silvery sheen of the waters formed a marked contrast with the deep, umbrageous green of the thick forest and underwood which covered the hill. Just near at hand was the long occupied residence of DAVE ROORIC, who brought up a large family of sons and daughters on the spot, and with a considerable industry subdued and cultivated the soil round about. The old earthwork is an embankment, about fourteen or fifteen feet wide at its base, and three feet in elevation, extends from the brow of the ravine in a northern direction, to the summit of the bank, resting on the river, and is some two hundred feet in length. This artificial wall of earth has an outer ditch, together with two slight trenches running parallel with the ancient bastion across the entire width of this bold eminence. There can be no doubt that the construction was made for warlike purposes, but indicates a more recent period than similar 'Ancient Works of Western New York.' It occupies an admirable position for defense, and can only be approached in one direction, and evinces quite a knowledge of strategic art in the erection of a defensive earthwork. This is only one of a series of ancient earthworks located on the tributary streams of the Susquehanna and Delaware. Coincident with these are, probably, the Indian mounds found in other portions of the State. "It is to be regretted that some competent and zealous archaeologist does not devote investigations to these fast-perishing memorials of a once powerful, ancient empire, and rescue from oblivion the only traces which can conduct to the occupancy of a former race which held possession of the soil."

As to the Occupation of Spanish Hill.

Here, again, conjecture has been rife for many years, especially on account of the remains of fortifications well-remembered by the early settlers, which were plainly visible until very recent years, indeed, they are now clearly traceable. The accompanying diagrams were



made by Mr. I. P. Shepard, of Waverly, to illustrate the paper on Spanish Hill, written for the Tioga Point Historical Society, and read before it in April, 1898. Their use has been kindly permitted for this work. The line sketch represents outline of side view of the hill. The diagram of the top was made with the advice and assistance of Mr. Charles Henry Shepard, whose residence, throughout a long life of eighty-seven years, was close to the hill, and who remembered distinctly the "Spanish Ramparts" before the plow of an overzealous farmer nearly leveled them to the ground. It will be seen by the diagram that except on the northern side the earthwork was continuous around the very brow of the hill.

Mr. C. H. Shepard described these fortifications as consisting of an embankment with a trench behind, giving a height of four or five feet on the inside. When he was a boy and first visited them, about 1820 or '25, large trees were growing in the trenches, showing that a long time had elapsed since they were used.⁹

The double lines in the diagram indicate the portions still clearly defined, and were evidently made much higher to protect those portions of the hill which were easily assailable, the point at the west being

⁹ James Hanna, who settled in the locality of the hill in 1816, said that at the bottom of the embankment were pitch pine logs, which *he claimed* had been shaped by the use of axes; also that leading from the north side was a trail easily traced to a spring near the north base of the hill.

on a small eminence easily holding twenty to fifty men, who could here make a rush up the sides. At the north, doubtless, both to prevent attack and to cover the way to the water, the embankment drops below the brow of the hill, until at the sharp angle it is fully forty feet lower.

The dotted line inside this angle, Mr. Shepard thinks, indicated a palisade for greater security, or possibly to protect a covered way to the spring half way down the northern slope, or to the stream which once encircled the northern base of hills. A covered way or tunnel was not infrequent in such fortified towns, and at the north of the hill, leading directly toward the spring, is a deep cut which certainly seems artificial, as compared with other depressions in the irregular esker formation. Many have contended that this hill could not have been permanently occupied because of the lack of water; but with a covered way to the spring and brook, and the proximity of the river, this seems a foolish objection. Mr. Shepard calls attention to the fact that the breastwork having been placed at the very brow of the hill, subsequent plowing has produced a sharp edge which gives to an observer in the valley below the impression of a perfectly level top. This, he says, "*is absolutely the only particular in which we find the hill artificial.*"

Not far from the angle of earthwork is a very large depression, supposed by many to have been an ossuary. Dr. Beauchamp, however, pronounced it a corn cache, one of the large pits which, when lined with sticks, leaves or grass, was used to preserve dried corn for winter use. Enormous quantities of corn were thus preserved and concealed from enemies. De Nonville claims to have destroyed, in 1687, over 1,000,000 bushels.

General Clark, after careful examination, decided that the top of the hill was levelled off by the occupants and used to fill a gully, which false work was walled up with stones to prevent washing by storms. Evidence of such work is seen at several points. Judge Avery, in his sketch, says:

"Around the top, a few feet in from the brow, a fosse or trench extends, plainly discernible in 1835, except on northerly side, where its traces were but faint. It is undoubtedly the remains of a French enclosure or Fort Hill, several of which have been found in western New York and in Oswego and Jefferson counties."

Judge Avery goes on at length, *assuming that this was an Iroquois fortification*,¹⁰ erected to protect them against the Susquehannocks. It does not seem necessary to digress here and enter into consideration of theories as to the so-called Fort Hills.¹¹

¹⁰ It may be said that the fortifications on Spanish Hill seemed to differ from the palisaded towns of the Iroquois.

¹¹ De Witt Clinton, in an early discourse before New York Historical Society, related that he was told in 1810 by one Lewis Dennie, a Frenchman, aged seventy, that according to the traditions of ancient Indians, all the forts throughout New York State were made by *Spaniards*, who came before the French, and were in the country two years searching for precious metals. Clinton, however, believed that the fort-hills antedated European occupation or exploration. Iroquois traditions, gathered from Cayuga Indians by Hon. Benj. F. Hall, of Auburn, N. Y., in 1853, indicate that very far back the Mingoes were engaged in protracted wars with Indians from the southwest, who had built mounds for sepulture, and embankments for defense along the valley of the Ohio, and into New York State, where they had lived about 300 years, when routed by the Iroquois. These Indians were sun-worshippers, and doubtless the same mentioned by the Shawnees as having preceded them in occupation of Florida.

It remained for General Clark to locate the Carantouan of Champlain on the hill, as well as to make it identical with the site of the Capitaneesses of the Dutch maps. Possibly, had Champlain's map been more carefully copied, this decision might have been made earlier. An examination of the copy of a portion of this map in a preceding chapter shows "the village Carantouan of a quadrangular form, with the longest axis north and south, precisely as the ancient work on Spanish Hill now appears." General Clark made a careful survey of this town, and the one at North Towanda, some twenty-five years ago. Carantouan has an extent of eleven acres, Oscanui of three. He said:

"The size of this work (Carantouan) would accommodate the number of warriors and their families as given by Brulé, and no other fortified work in all that section of the country approaches anywhere near the requirements of Brulé's estimate."

General Clark's identification of the site of Carantouan has been generally accepted by thoughtful historians as correct, though there may have been earlier occupants. Dr. Beauchamp is inclined to think, as have some others, that the town was on the plain, and the hill only used as a refuge. While this seems to have been the case in the later occupation of the region by the Cayugas, Champlain states that Brulé found the Carantouannai "*living in the fortified town*," and Mr. C. H. Shepard in early days found quantities of shells of the common fresh water clam (mussel) strewn upon the ground; always an indication of an Indian town site of prolonged duration. No definite burial place has been located on the hill, although a nameless writer for the local press about thirty years ago remarked:

"An early saying in this country was that the graves on Spanish Hill were those of Indians, but the fortifications were the work of other hands."

The old settlers said that a few white people, mostly children, were buried on the hill in early times.

General Clark has always believed that an ossuary,¹² or bone pit (such as used by the Hurons), and, according to Squier, found in many such hills, would be discovered. The various owners of the hill having been somewhat averse to archaeological investigations, this matter, unfortunately, is undecided. As to Indian implements, comparatively few have ever been found on the hill, although Mr. Lang has a pipe and some flints; the most noticeable was a deer of stone, no doubt an Iroquois totem. Such relics as had been found forty or fifty years ago were sent to Barnum's first museum in New York City, long since destroyed by fire. In the light of all these investigations it may be said that the first known occupants were the Carantouans or Carantouannai; possibly, later, the Cayugas, who occupied Ganatocherat, the town evidently lying between the hill and the river, visited by Moravian missionaries in 1745. The very latest occupation of interest

¹² The ossuaries were usually somewhat depressed from the adjacent land surface, some six to ten inches; and from ten to fifteen feet across, on high and dry ground. It was the custom to exhume the bodies after several years burial, generally at periods of two years; scrape off any remaining flesh, and bury large quantities of the skeletons in these pits. The reason for this disgusting custom does not seem to be known, although it prevailed with many tribes. Clark thinks the discovery of a burial place *the most important work connected with Spanish Hill*. No ossuary is known to exist at the other town sites mentioned, although no great research has been made.

was in 1786 when the Commissioners, who were engaged in resurveying the State line, erected (according to Mr. Sidney Hayden) a temporary observatory to enable them to make astronomical observations.

As to the antiquity of occupation there can be no positive assertion. Squier says the early explorers all speak of the aboriginal defenses as composed of palisades set in the ground, or, possibly, more elaborately arranged as pictured by Champlain, and copied in many histories. Yet it is generally supposed that the palisades were set in the embankments. As for Hanna's pitch pine logs, he did not, unfortunately, state whether they were upright or laid up like a barricade. Squier says the Indians on the New York reservations professed total ignorance of the origin of the earthworks, but too much importance should not be attached to this.

Name and Traditions.

Even with the assistance of able historians, and in spite of *ten years'* investigations, we must admit that the derivation of the name "*Spanish Hill*" is still shrouded in mystery. As to its earlier names, *Carantouan* is said, by Dr. Beauchamp, to mean "big tree."¹³ He accents it thus, Ca-rant'-ouan. General Clark seems to favor Car-an-tou'-an; the reader may make his own choice. There is another name, On-on-ti-o'-ga, which Beauchamp says "would mean *great hill at the river forks*, otherwise *great hill at Tioga*." Jesuit Relations say the Onontogias were subdued by the Iroquois and placed in the Seneca country. Gen. J. S. Clark thought they originally lived at Spanish Hill. This name seems to be found only in the Relations of 1670, Chapter IX. This surely is a very appropriate name.

The late O. H. P. Kinney made the Indians call the hill *Nepauwin* in his poem written in 1867; this is a perfectly unfamiliar name, as is also one given by an Owego writer of 1843, *Savan-sa-gash-kin*. Doubtless, these were fanciful names. Judge Avery, in his paper already alluded to, says:

"The prefix 'Spanish' seems entirely arbitrary, and without significance—It is to be hoped that this storied hill is not destined to continue stripped in name of its American identity.—If the genus of America does not interpose a shield the spirit of Pericles—or other departed Grecian sage may insist through some medium and with some show of significance that the Iroquois fort be called 'the Acropolis of Athens,' although it boasts no Parthenon on its summit."

As to the name "Spanish" General Clark thinks it entirely traditional, saying the early settlers were wont to apply Spanish terms to many things for which they could not otherwise account.

Conjectures about *Spanish Hill* have been many, and, if woven together, prose and poem, would make an interesting volume of *fiction*. Conjecture has no place in authentic history, but, as facts are scarce about the name bestowed upon the hill by the red men, a few will be given. Let the reader bear in mind that there is no corroboration, perhaps not even circumstantial evidence.

There is, however, undisputed evidence from the earliest settlers (Shepards, Hannas and others) that when they came the Indians re-

¹³ See *Aboriginal Place Names of N. Y.*, 1907.

maining in this locality called the hill "Espana" or "Hispan." Not only that, but that they stood in awe of the hill, and avoided ascending it. As the first whites and, apparently, the Indians of that period (end of eighteenth century) were ignorant of the early history of Carantouan, the fortifications were very quickly ascribed to white men; why not the Spaniards? It was easy to weave a tale of battle, etc., of these tiny threads. Yet, no doubt, the conjectures were founded on the reputed Spanish expeditions of De Soto's time. W. F. Warner based his theory¹⁴ on the reputed expedition that landed in Chesapeake Bay, and came up the Susquehanna about 1554. Yet, even granted that the casque¹⁵ of apparent Spanish manufacture was dropped at that period, and granted that the old boat washed out of the bank at Sheshequin¹⁶ far antedated Sullivan's Expedition, Warner's tale is manifestly improbable, because the hill was doubtless an Andastes fortified town *sixty years later*; and it was not until a hundred years later that the Six Nations had dominion over Tioga Point. As for the bayonet found by James Hanna at the base of the hill, *which was made into a fishing spear by irreverent youths*, it would be necessary to see the "Spanish inscription" before giving credence to that tale.

There was another story of early settlers recorded by Dr. Bullock in the *Athens Gleaner* of 1871 of a Spanish expedition led by an old priest. We would like to believe this, for might not the crucifix lately found buried on the plains have belonged to this very priest; but alas for evidence! Although perhaps Prof. A. L. Guss was right in the suggestion that the Susquehanna was explored by Spaniards in 1570. As to a possible Spanish expedition, indeed, one might almost say *probable*, why not give credence to the suggestions and observations of Justin Winsor, the historian,¹⁷ in connection with the Figurative and de Laet's Maps?¹⁸ The names given on these maps to some Indian tribes are so unmistakably of Spanish origin that it is hard to believe they were not first applied by the Spaniards and repeated by the Indians to the Dutch prisoners among the Mohawks. We find one tribe called "Capitanesses," while in colloquial Spanish *capitanazo* means *a great warrior*; another, whom the Dutch later knew as *Black Minguas*, is designated by the name of "Gachoo," the Spanish word *gacho* being applied to *black cattle*. Still another is called the "Canoomakers," *canoa* being a word of the Indian tongues of South America, *the North American Indians could only have learned it from the Spaniards*. Continuing his observations, Winsor concludes that Danckers, and other writers, had some foundation for the tradition that the Spaniards antedated the Dutch in the discovery of the Hudson River.

¹⁴ Hist. Gazetteer Tioga Co., 1785.

¹⁵ This casque is in the Museum of Pennsylvania Historical Society and was found in the river bank near Chickies. See "Pennsylvania Colonial and Federal," the author of which, the late Mr. Jenkins, was in the midst of research concerning a Spanish expedition up the Susquehanna at his untimely death.

¹⁶ The old boat was washed out of the river bank near Sheshequin, and while many ascribe it to the Sullivan Expedition, scarcely enough time had elapsed since that to make it the color of ebony.

¹⁷ See "Narrative and Critical History of America," Vol. IV, p. 434.

¹⁸ See cut of same in preceding chapter.

When Danckers visited the New Netherlands in 1679 the Indians told him the first white men seen there were Spaniards, but that they did not remain long. Winsor calls the Pompey Stone¹⁹ an evident Spanish relic. The historian Stone²⁰ gives various traditions. One, related by Brant, told of a white race who had lived here in ages past, reputed to have built the tumuli from the St. Lawrence to the Mississippi. DeWitt Clinton, in his memoirs (collected from Iroquois sachems and from Jesuits' Journals), tells of a French colony at or near Jamesville, New York, founded by request of the Indians in 1666; and that in 1669 a party of twenty-three Spaniards arrived in the village, guided by Iroquois, who had been the captors of the southern tribes. It appears evident that this party came up the Mississippi (and Ohio), as they had passed through Pittsburg on to Olean by water, where, leaving their canoes, they traveled by land. They had been attracted by the Iroquois stories of a lake with the bottom covered with a *shining white substance*, which they assumed was silver; but finding, to their dismay and anger, that there was none (the shiny substance was *salt crystals*) they accused the French of concealing the truth, and finally with the aid of the Indians, utterly destroyed the French colony.

Stone also quotes from Rev. Mr. Adams, of Syracuse, various traditions and conjectures, attempting to prove that the Spaniards' visit was much earlier than Clinton averred, and Adams uses the Pompey Stone as evidence.

De Soto, in 1538, found a Spaniard among the southern Indians who had been a captive ten years; he also speaks of "Saquechama," conjectured to mean Susquehanna.²⁰

The *New York Gazetteer* of 1810 thus speaks of Spanish Hill, as reported by a correspondent:

"In the southern part of the town of Chemung is a large mound of earth—which is described as a work of art, but the top is a plain of some 4 acres."

We assume this means that the hill was artificial. In the *Athens Scribe*, of 1841, Sidney Hayden published a lengthy romance entitled, "Movanho," but he never gave, *as promised*, his theory as to formation. In the same paper, date November 1, 1843, an article is copied from the *Owego Gazette*, with the signature M. J. A. (identity unknown), entitled, "A Legend of Spanish Hill." This is a most ingenious tale, said to have been found written in Spanish, by Margarita, a Spanish girl captured in the south by Indians in 1657, and brought to this locality. In this the name of Swan-za-gash-kin is given to the hill, and the fortifications were then claimed to be very old. Margarita thought of Cortez, but seemed to think they antedated even his day.

O. H. P. Kinney's poem represents Spaniards on the hill besieged by Indians, but finally ransomed by a Spanish maiden giving herself in marriage to an Indian chief.

"The story of the Spaniards has received embellishments one time and another from the local poet and would be historian, until the whole is surrounded

¹⁹ The Pompey Stone was found in Oneida County; it is oblong, 14 inches by 12 inches; has in the centre a tree with a serpent climbing it, and on each side of the tree what are said to be Spanish inscriptions and a true chronology of Leo X. This stone is in the Albany Museum and is thought by some to have marked a grave.

²⁰ See Appendix, "Life of Brant."

by a vague haze of traditions, and one is really unable to decide whether the hill gets its name from the story, or whether the story was simply invented to account for the name."—E. M.

Early in the last century Alpheus Harris settled at the foot of the hill. An old Indian was a frequent visitor, but when asked to ascend the hill he always refused, saying a Great Spirit lived there who would kill Indians. That he spoke with a voice of thunder, *and made holes through Indians' bodies*. This suggests muskets or cannons. Fifty years later, seeing the eminence for the first time, N. P. Willis thus described it:

"They call it Spanish Hill, and the fortifications were old at the time of the passing through of Sullivan's army. It is as pretty a fort as my Uncle Toby could have seen in Flanders, and was doubtless occupied by *gentlemen soldiers* long before the Mayflower moored off the rock of Plymouth. The tradition runs that an Indian chief once ascended it to look for Spanish gold, but, on reaching the top, was enveloped in clouds and thunder, and returned with a solemn command from the spirit of the mountain that no Indian should ever set his foot on it again.

"An old lady who lives in the neighborhood (famous for killing two Tories with a stone in her stocking) declares that the dread of this mountain is universal among the tribes, and that nothing would induce a red man to go on it. This looks as if the sachem found what he went after; and it is a modern fact that a man, hired to plough on the hillside, suddenly left his employer and purchased a large farm, by nobody knows what windfall of fortune. Half this mountain belongs to a gentleman who is building a country seat on an exquisite site between it and the river, and to the kindness of his son and daughter we are indebted for information."

Naturally, the supporters of the Mound Builders' theory have assumed that treasures were secreted with the bones in the cave at its center. Wonderful tales have been told of the return at night of Indians to hunt for the buried treasure. Spasmodic attempts at excavations have been made by various persons in the past, some looking for treasures and some for relics. All were disappointed, as far as known. Probably this search reached a climax in the '70's when the editor of the *Waiverly Advocate*, interested and amused at the geological war waged in his columns over Spanish Hill, wrote an article, given the name of "*The Spanish Hill Hoax*," which attracted great temporary attention to the eminence.

A resident of the valley has written in lighter vein:

"On the whole it seems reasonable to suppose that Spanish Hill is a freak of nature rather than the creation of man. Without doubt, every race that has passed through the valley has laid hands on it in turn, but probably without radically changing any features of it. It has been, in its day, the site of a village, burying-ground, fortress, and potato-patch, in turn; and yet, in all probability we see it to-day just as the first man who made his way into the valley saw it hundreds of years ago. There are many, to be sure, who will never be satisfied with such a rational explanation as this. They prefer that the origin of the hill should be shrouded in mystery. Their imagination fails to take fire at the thought of the great ice-sheets that clogged the valleys and covered the tops of the highest hills, or of the great floods that swept down over the land at the birth of the hill. They will always prefer the hazy Mound-builders, to the powers of nature; and the tale of the Spaniards and the Indian girl has the popular heart. And until they have dug the whole hill over, inch by inch, they will never believe but that there lie hidden in it the treasures of Captain Kidd, or of a prehistoric race as wealthy as the Aztecs. Long may the old hill guard its secrets."

Of all the stories and poems inspired by the hill and its traditions, the following seems the most free from fancies. It was written one hundred years ago; the youthful author, a lad of seventeen, was then a resident of Athens. It is worthy of note that just as little was known of the history of the hill then as now:

ELEGY

On visiting the ancient fortification called vulgarly Spanish Hill, at the confluence of the Tioga and Susquehanna Rivers.

Alas! how sad a character of man
I gain from this lone tract of labored ground!
His passions, manners, weakness, strength and pride
Are truly pictured in this martial mound.

And what an awful thought it gives my soul,
When lone inquiry strives in vain to trace
The bloody story of the chiefs and braves
Whose bones are resting in this solemn place.

No page informing speaks its silent tale,
No ancient poet marks the fatal green;
Even Tradition's wondering tongue is still;
Nought else is known but here a work is seen.

The greyest Indian warrior cannot tell
Of these old mounds and half-filled ditches more
Than many a forest growth hath fallen here,
And trunks been seen of growth long, long before.

Yes, here the panther and the wolf have slept
Ages before Columbus tho't to roam:—
The roving wild deer, with unconscious step,
For years untold has made the spot his home.

Here has it stood, a silent monument,
Speaking of things and deeds of buried yore—
Of nations skill'd in all the arts of war—
Of chiefs immortal, fall'n and known no more.

Perhaps some tyrant Victor's mad career
Drove to these heights some little patriot band;
Souls fit for Greece were crush'd untimely here,
And rude barbarians whelm'd a polished land.

Yes, here perhaps some truly noble souls,
Braver than Hector or Achilles, fell;
A greater here may sleep than story knows—
Wanting for nought but Homer's tongue to tell.

Here let the foe of man, from war's career,
Rest his red sword, and stay his charger's speed;
Ask what immortal hero slumbers here,
What fadeless laurels bloom around the dead.

Warrior, perhaps some leader of the brave
Drove fierce invaders to this last retreat;
Here struck the foes of Freedom to their grave,
And stampt the tyrant's heart beneath his feet!

Perhaps some Washington, with glory crown'd,
 O'erpowered with numbers, tho' unmatched in fame,
 For Freedom's last retreat entrenched this mound,
 And victory here immortalized his name.

This green intrenchment witnessed gallant deeds,
 Worthy perchance of Alexander's name:
 And the cold bones among these shelt'ring weeds
 Could tell of battles with the tongue of fame.

But hurrying time has swept along the vale,
 And marked these mounds and bones with wasting years;
 A thousand wintry wings have beat them pale,
 A thousand summers washed them with their tears.

Charles Fisher Welles, (1806).

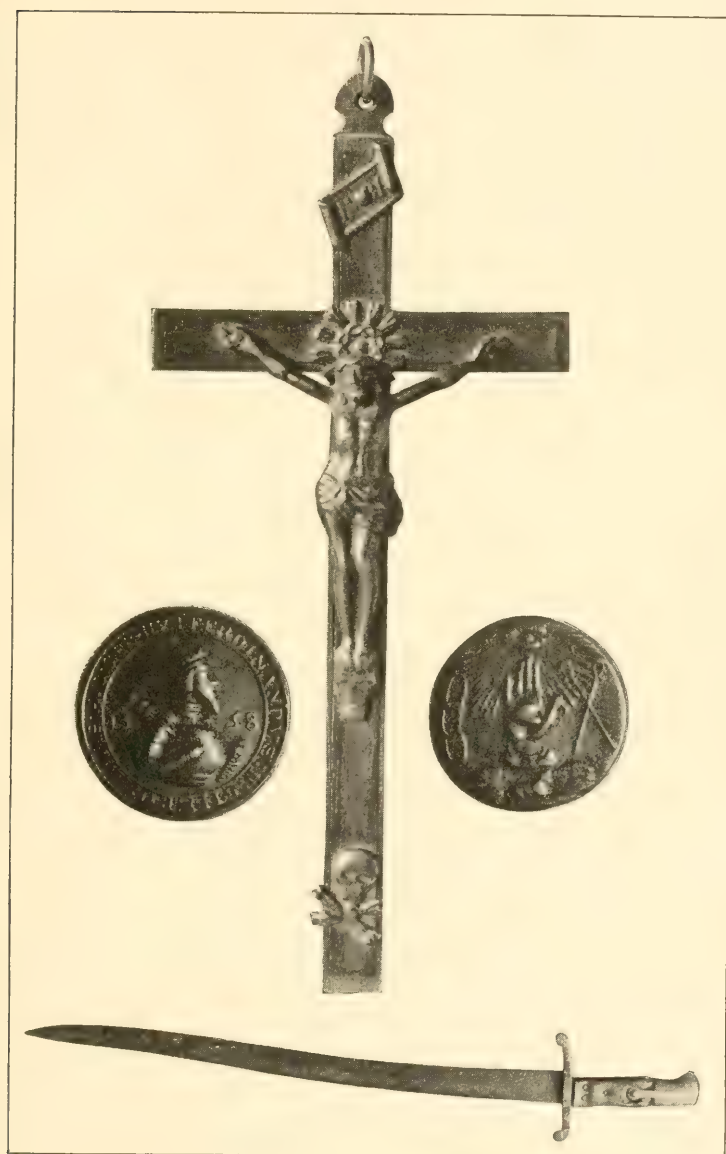
Some Curious Relics.

While Spanish Hill has never yielded up its possible treasures, it seems appropriate to describe here the treasures or curious relics which have been found in this valley and vicinity. For convenience they have been grouped in one plate, though doubtless widely separated in their origin. Naturally, the crucifix first attracts the attention, and it would be the most appropriate to be connected with a Spanish expedition. This was unearthed in 1903 on the plains above the town. It is of wood (no doubt purporting to be the wood of the true cross) as black as ebony, possibly from lapse of time. It is seven inches long, bound in brass, and the figures are all in brass. It was found while excavating for an outside cellar way, just south of the corner of Desmond and Vanderbilt Streets, seven feet under ground. *No habitation or burial place was ever known to be in this vicinity until since 1890.* But the spot was on the old Indian trail to Owego, on the upper river terrace, about 150 rods from the Susquehanna, and not far from the only spring ever known in the immediate locality. It is the style of crucifix worn only by priests or missionaries, being much larger than those worn by converts.

It has been examined by Dr. Edwin A. Barber, Director of the Pennsylvania Museum in Fairmount Park; also by some other students of old relics, who greatly disagree. They say it is old, it is new; the workmanship is French, Spanish, Russian! It must antedate 1650. It isn't fifty years old—it must have been lost or buried in the time of the Jesuit fathers—it hasn't been buried two years, and so on, *ad libitum*. One authority says that the feet, *not being crossed*, indicate greater age than would one with feet crossed. Dr. Beauchamp, who has given much attention to Jesuit relics, says:

"The crucifix might be of almost any age, that being a question of its surroundings; if used by the Indians, as it well may have been, I am inclined to place it between 1700 and 1760."

Many crucifixes have been found in New York State known to have been given to the converts of the Jesuit missionaries, and they have been reproduced in one of the New York State Museum Bulletins. The two here given were not included in that bulletin. They are of brass, of excellent design, though one was broken, probably by a plow.





BRASS CRUCIFIXES FOUND AT OWEGO

They were found by Henry E. Kingman at Owego, on the site of the old Indian town Owegy, just west of the present William Street, on the surface of the ground, which was plowed and planted for several consecutive years, and yielded many Indian relics, especially red pipe stone pendants, and beads of various sorts obtained in trade. They are here reproduced, the exact size, by favor of Mr. Kingman.

The Spanish medal would seem to belong *with the crucifix*, though it was found on the east side of the Susquehanna, and the crucifix on the west. This Dr. Edwin A. Barber, Curator of the Museum in Fairmount Park, Philadelphia, thought a replica of a coin, such as is set in some ancient beakers or tankards of the seventeenth and eighteenth centuries, seen in museum collections. Having no denomination stamped on it, unless it is the reverse side, it seems more like a medal than a coin. It is in bronze, and was found in 1904 about eight feet under ground, while excavating for a cellar east of the Susquehanna River about one hundred rods, and not far from Satterlee Creek.

No dwellings had ever been in this locality and it was too far back to have been washed in by floods. How came it there? The inscription is as follows: "Ferdinandus D. G. FI RO; IMP. S. AUG. GER. HV!" This is an abbreviated Latin inscription, translating about as follows: "Ferdinand, by the grace of God, made Roman Emperor. Succeeding to throne of Germany and Hungary." The date, 1558, and inscription seem to indicate a medal struck off to commemorate the accession of Ferdinand I to the throne of the Holy Roman Empire of the German Nation, on the abdication of his brother, Charles V. This Ferdinand was a grandson of the great Spanish monarchs, Ferdinand and Isabella; he was raised by marriage to the throne of Hungary; was elected king of the Romans in 1531 and, as he had long been by election, president of the council of regency appointed to govern Germany during the long absences of Charles V; he was formally elected emperor in 1558.

Its companion in the plate is a metallic button or medal, having on its face certain emblems of Odd Fellowship. Its rough back would indicate that it had been set in some material. It is brass, or light-colored bronze, tarnished and somewhat oxidized. About 1890 some workmen were engaged in repairing an old surface drain running from Main Street across "the Green" to the river, now between the Museum-Library and the Hunsiker property (1907). A few feet below the sur-

face a skeleton was unearthed. On the skeleton were knee buckles, coat buttons similar to those worn by Continental soldiers, and a huge knife or dirk. M. P. Murray was superintending this work and picked up this badge, medal or button. The knife was carried off by the workmen, and the buckles and coat buttons crumbled into dust, as did the skeleton on exposure to the air. It was noted that this skeleton disintegrated more than many Indian bones found in the old burial grounds.²¹

This spot was set apart as a common when the town was laid out in 1786; there is no record or knowledge of any burial since that date. This relic was taken to Philadelphia and examined by James B. Nicholson and other members of the grand lodge then in session. But, while the emblems on it are those of the fraternity, all pronounced it unlike any badge or jewel ever seen, and of which they had no knowledge. Circumstances also indicated that the burial had antedated even the Manchester Unity, organized in 1809 or 1813, as knee buckles were not worn as late as this date.

Some years later, when grading about the new building, Messrs. Murray and Ercanbrack found a grave near the river bank, evidently of an American or English surgeon; many dishes (broken after Indian fashion), scalpels, knife, etc.; the dishes were such as were formerly used in surgery. There are also many Indian graves on this spot, and every indication that it was the precise locality of Indian and British camps for a long period.

Mr. Chapman, a coin expert of Philadelphia, says this is an emblem of a so-called "Heart and Hand Society," of which we have no knowledge.

The sword was found opposite Miner's Island at Sheshequin, after an extensive river freshet in 1895, by Fred Davidson or Mr. Alliger. It was seen first protruding from the bank about six or seven feet below the surface; he had to dig it out with a crowbar. This was about one and one-half miles from where the old boat was washed out, on the river flats, where it always overflows. It is in a fairly good state of preservation, even to the leather on the hilt. There is no clew whatever to this, while it is possible it may have been buried with its owner. *Who was he?*

²¹ The Indians are said to have been buried at least 250 years.

CHAPTER V

ABORIGINAL HISTORY CONTINUED

From Expulsion of the Andastes to the Revolutionary War—The French and Indian War—Teedyuscung and the Treaties

Since history has been recorded at least twenty-five different tribes have lived at Te-a-o-ga, most of them tributary to the Iroquois.¹ The Iroquois pursued the clever policy of dividing those conquered and removing them to localities where they could be watched, generally giving each tribe into the keeping of some one of the Six Nations, without whose consent the tributary tribe could not change their place of residence, and to whom they must pay tribute. Thus, immediately after the conquest of the Andastes, their lands were acknowledged by the other Iroquois to belong to the Cayugas and Onondogas. At this period (the end of the seventeenth century) the strife for territory was great between France and England, both trying to influence the Iroquois to adhere to them. Thomas Dongan, the English Governor of New York, persuaded the Onondogas and Cayugas to place their Susquehanna lands under the King's protection, *lest Penn's agents should secure them*, whereupon the said tribes claimed the lands as theirs by conquest, and "fastened them to New York." Yet Dongan professed to be friendly toward Penn. In 1684 these tribes announced to the Governor of Virginia:

"Wee have putt all our land and our selfs under Protection of the great Duke of York—We have given the Susquehanna River *which we wonn with the sword*, to this Government, and desire it may be a branch of the great tree that grows there."²

Tribute was regularly collected from the conquered tribes, Colden³ telling of two old men who went about every year or two, and though wretchedly clad, "*issued their orders with as arbitrary an Authority as a Roman Dictator.*" While the Delawares never acknowledged actual conquest, we find them meekly paying tribute, the chiefs even going to Onondoga for that purpose, bearing a large calumet or pipe of peace given them "*upon making their submissions to the Five Nations, who had subdued them and obliged them to be their tributaries.*"⁴ somewhere near 1650.

Tribute sometimes consisted of belts of wampum, highly prized, and very much used by Indians. Tribute was also paid in furs. In return the Iroquois gave protection when needed, but expected a certain quota of warriors if called for. The special masters were generally called "Uncles."

Doubtless, soon after the routing of the Andastes, Teaoga became the southern door of the long house of the Iroquois, as it was the

¹ The Six Nations of Central New York; see N. Y. Museum Bulletin, No. 78.

² In 1696 the Indian lands on the Susquehanna (which Dongan had obtained from "Sennica Susquehannah Indians by gift or purchase") were granted by him to William Penn for £100.

³ C. Colden's Hist. Five Indian Nations of Canada, 1755.

⁴ Quoted by Beauchamp without reference.

meeting of the trails and commanded the river valleys. Their territory, as Morgan says:

"Was shaped something like a triangle; its base the great central trail from the Hudson River to Lake Erie, and its apex Tioga Point."

Dr. Beauchamp, their more modern historian, disputes the fact that this was an *official* door, but it is too evidently the natural southern gateway to their territory to discredit the writers of earlier date. It is not necessary to assert that Tioga *meant* a gateway—it *was* a gateway, naturally. The Pennsylvania tribes, besides the Andastes or Susquehannocks, were the Delawares and Shawanese. The Delawares, or as they called themselves, Lenni-Lenape (original people), were Algonquins, claiming a western origin. After many years residence there, they crossed the Allegheny Mountains and discovered the two great rivers, the Susquehanna and the Delaware. These regions, they said, had then no inhabitants, and abounded in game, fish, etc.; therefore, they decided the Great Spirit had directed them thither. Some writers think the Andastes were of this stock, but there is little convincing evidence. The Algonquins of New England, Long Island and the lower Hudson, were their kindred. The Delawares were divided into three families of which the Munseys or Moncies are best known. There were many minor divisions, but it should be remembered that the *Mingus* were Andastes.⁵ The Shawanese were also Algonquins, and the basin of the Cumberland River was their abiding place before Europeans settled on the continent.

"In old times" the Shawanese lived near the Spaniards and were always at war with them. Having signified a desire to remove and live under the protection of the English and Iroquois, they were received into this Province in 1701, and placed on the Susquehanna. They came as strangers and the Conestoga Indians became security for their good behavior.⁷ Afterwards they removed to the waters of the Ohio. In 1732 in a message to Gov. Gordon, they told that the Iroquois came to them nine years before and said they did not do well to settle there and urged them to assist in fighting the English, which they refused to do. About a year later the Five Nations told them and the Delawares that, since they had not hearkened or regarded what was said, they would *put petticoats* on them and look upon them as women in future."

Heckewelder also gives an account of this, somewhat different and disputed by other writers. But to return, for sixty years or more after the routing of the Andastes, peace reigned along the Susquehanna, and the Penn treaty of 1682 preserved friendly relations between the whites and Indians, although there was continued disagreement as to the ownership of Susquehanna lands; therefore, a council was held in 1736 at Stenton, near Philadelphia; the Onondoga council of the Six Nations had resolved to settle the land question and sent eighteen chiefs. The result was not very satisfactory. The Indians still disagreed, and the Proprietaries were very grasping, which helped inflame the Indian wrath. The following year Conrad Weiser and Shikellimy (who had been appointed agents between the Six Nations

⁵ The general term of "Mingoes" was applied to all the kindred tribes in Pennsylvania as *trunk* Algonquins.

⁶ See Pennsylvania Archives, Vol. I, 1664 to 1747.

⁷ If the Conestogas were Andastes, this would indicate that they were still of some importance; also that they *might* be kindred.

and Pennsylvania) were sent to Onondoga. This was the year in which Conrad Weiser visited Te-a-o-ga, and his diary gives the first account of an Indian town here, or it may be said the first record of the region after Champlain's. Extracts from Weiser's journal being given elsewhere, only those descriptive of Indians will be quoted here.

"There are many Indians living here; partly Gaiuckers (Cayugas) and partly Mahikanders.⁸ This water is called Dia-agon, and comes from the region of the Sinickers (Senecas) and Gaiuckers (Cayugas)."

He mentions that the Indians were not nearly as prosperous as when he saw them several years before, doubtless at the time of the Palatine migration. The next year Weiser passed through again, accompanied by the Moravian missionaries, Spangenberg and Zeisberger. The date of this journey is from Weiser's "Life of Weiser" (it is not mentioned by other writers). It seems probable that it is wrong, and should be 1745, yet it is so found in Conrad's own journal.

In 1743 John Bartram, the botanist, came with Weiser and Lewis Evans (see Chapter III), and describes minutely their visit to the Indians and friendly reception:

"Their town house is one mile above the junction of the rivers, it is about thirty feet long and the finest of any I saw among them." In 1745 many Mohicans lived at Tioga and until the French war the town was inhabited by Mohicans and Cayugas."

Zeisberger, who visited the Point with Weiser in 1745, tells of the Mohican town in the small triangle formed by the two rivers, and of their hospitality. The Mohicans were from New England, *not the same as Mahikanders*, although kindred, both being Algonquin tribes.

While Bartram's description would indicate a town nearer the Tioga than the Susquehanna, the general town site was on the high ridge (on the Point farm) southeast of the Stone House. The most notable evidences of occupation being the great masses of river mussel shells found in plowing on the ridge. In the early part of the eighteenth century, and probably all through it, here was generally stationed a Cayuga sachem to guard this southern entrance to "the long house," as the Iroquois territory in New York was designated. Whoever went up or down the rivers was halted at Teauga and questioned as to his errand. For a hundred years this was a favorite rendezvous for war parties and councils, and here many prisoners were brought and often kept for long periods.

About 1740 the Catawbias, a southern tribe, came to terms with the Iroquois. It was, doubtless, soon after this that the first of these tribes appeared in this region, the Saponies, who lived at Teauga, and the Tuteloes or Toteroes, who Schoolcraft says were from Virginia, and who long lived along the "Cayuga Branch" (name given to Chemung River), and had a town near the mouth of the creek of the same name, in the vicinity of Tozer's Bridge, now vulgarized as Toodley-town. According to Zeisberger, who visited them, they were a wretch-

⁸ Some of the Loups were called Mahikanders or River Indians; they were *Delawares*, *not Mohawks*.

⁹ This was doubtless Cayuga, as the Iroquois houses were built very long, somewhat in the style of an arched arbor, intended for many families or members of a clan; fires were built at intervals through the center, the bunks, etc., being on each side.

ed, degenerate race; they gradually became extinct, doubtless from their own excesses. Cammerhoff found the Tuteloes in the Wyoming Valley in 1750. They also lived for a time in southern New York.¹⁰ Very little is known about the Saponies.

Cammerhoff was another Moravian, who, with Zeisberger and several Indians, journeyed from Bethlehem to Onondoga in the spring of 1750¹¹, the Moravians always hoping to establish a mission at Onondoga. This trip was made in canoes, with a Cayuga Indian as guide. At the outlet of the Wyoming Valley Cammerhoff's diary says:

"On the heights passed the *great path to Tioga*. Saw peach trees in an old Indian town. Met several Delawares of Tioga. * * Passed Meshoppen as last town before Tioga. * * Near Wysaukin met a Delaware from Tioga on the way to hunt. Later came to a hunting camp of Residents of Tioga (evidently at mouth of Sugar Creek); passed the site of an old plantation (Oscolui), near which the Indians told us is the path through the great wilderness to Ots-tonwocken—Thursday May 17."

Having passed Ulster, Cammerhoff says:

"On this side of the Susquehanna (the East) is a tolerably large flat which looks charming (Sheshequin Flats). To my great joy we had a view of Tioga several miles distant from us. As it was towards evening we selected a spot for a camp just where the great path comes down to the river's edge and built us a hut. (This was opposite Queen Esther's flats at head of narrows.) The whole morning it stormed violently, we kept in camp and named it Camp Necessity.¹² Our Indians began to paint and otherwise deck themselves, expecting soon to be among their own people. The rain ceasing, we took to the river and came to the branch called Tioga. This stream we now entered and passed Indian huts at intervals on the banks. Passed rapids in abundance in which the water poured as through sluices and we had to work hard to stem the current. In fact the Tioga is one continuous rapid and tearing current—A little higher up we came to their Delaware huts. No one but women and children at home, they asked us to shore and gave us food. Reentering canoes we again passed huts at intervals and several ugly rapids. (This has been erroneously translated "falls" by some, thus making locality dubious.) At last reached a beautiful flat (between Spanish hill and river) on which stands the Indian town Ganatockerat, inhabited by Cayugas, the end of our journey by water.—As soon as we landed we were surrounded by a crowd of men, women and children."

Cammerhoff remained here several days on his return from Onondoga, but does not mention visiting Diahoga. In 1753 Zeisberger and Frey traveled to Onondoga; their diary has this record:

"Thursday May 17 We set out early this morning and soon got out of the mountains reaching Tioga. We landed and entered several huts, inhabited altogether by Delawares, Hence we could have but very little conversation. Some Cayugas lived in the neighborhood," etc.

In 1754 Zeisberger made the journey again, remaining nearly a year at Onondoga.

In 1732-34 and '36 councils, more or less informal, were held at Philadelphia, in which no Indian was more prominent than the Oneida

¹⁰ Prof. Guss says the Tuteloes were a Virginia tribe identified as a transmigration of Mississippi Dacotah stock.

¹¹ A recent examination of the Craft collection revealed translations of many Moravian Journals made thirty years or more ago for Dr. Craft by Rev. W. C. Reichel from the original German Mss. in the Bethlehem Archives, the same from which Dr. Beauchamp had kindly furnished us with extracts. Their introduction here may make the narrative disconnected.

¹² "It was the custom of the Moravian Missionaries when passing through a wilderness to give their camps names, the initials of which were carved on the trees as landmarks for other evangelists. In the course of time the valley of the Susquehanna was full of these memories of pious zeal."—Life and Times of Zeisberger.

chief *Sawatana*, best known by the name given him by the Delawares, "*Shikellimy*." He was a trusty and good man, and a great lover of the English, who always coveted his favor, and with whom he became very influential. At his death his son said of him:

"My father who, it is well known was all his life a hearty and steady friend to the English, charged his children to follow his steps, and remain always true to the English who had always been kind to him and his family."

In 1728 he was appointed vice-regent by the Five Nations and sent to reside at Shamokin¹³ and look after all the Susquehanna Indians; in this capacity he administered affairs within the Province of Pennsylvania; was responsible for the good behavior of all the tribes tributary to the Iroquois, and was present at every council, which were so frequent between 1728 and 1748, respecting purchases of land. By his moderate counsels he aided in many amicable solutions of the intricate questions arising in these conferences. He was a good Christian, much esteemed by Zeisberger and other Moravians; a great friend of Conrad Weiser's, being appointed agent or interpreter with him in 1732. He was his companion in 1737 to Onondoga, stopping with him at Diahogo, and later in the journey, by his simple faith in God, inspiring courage in Weiser when the latter succumbed to fatigue and starvation.¹⁴ He also accompanied Weiser to Onondoga in 1743 and 1745. He had three sons, one of whom became the famous chief Logan. He died at Shamokin December 17, 1748. Probably no Indian chief ever did more to conciliate the red men and the white men than Shikellimy.

"He was in many respects the most remarkable aborigine of whom there is any record; had a great love for truth and never violated his word, considered it a crime."

At the time of his death there was much ill feeling among the Pennsylvania Indians, largely due to the dissatisfaction which arose from the transaction known as the "Walking Purchase."

Probably no action of the English settlers was more exasperating to the Delawares than the so-called "Walking Purchase." In 1682 the agent of William Penn made a purchase from the Indians of land bounded by the Delaware on the northeast, the Neshaming on the northwest, and to extend as far back as a man could walk in three days. Egle states that Penn and the Indians began to walk out this land, and stopped in a day and a-half, Penn concluding that was as much land as he would want at present. From this period, however, the whites kept establishing themselves a little further north until the Indians became uneasy, and desired to have a limit placed on these encroachments in 1734, and it was agreed in 1737 that the walk should be performed. The Indians seem to expect the walk to end at the Lehigh Hills, but the Proprietary planned to take in as much land as possible. They employed three men, noted for their agility and ability as fast walkers, and instead of going up the river, as Penn had, and

¹³ Shamokin, now Sunbury, was held as a strategic point by the Iroquois at an early day, being made the seat of a viceroy who ruled the tributary tribes of the Susquehanna. The missionaries called it *the very seat of the Prince of Darkness*, in 1745, when its inhabitants were half Delawares, the others Senecas and Tuteloes.

¹⁴ See "Memorials Moravian Church," p. 90.

the Indians expected, they went across the country, using a compass to secure a straight path. It was an exciting walk *or* run, as the Indians soon complained. Two of the three white men succumbed to fatigue, one dying three days later. Only Edward Marshall continued, and at the close of time he had covered 63 $\frac{3}{4}$ miles.

Not content with this, the lines were so run as to include many thousands of acres far up the Delaware River. The Delaware Indians both saw and complained of the fraud, nor would they relinquish the land until compelled to do so in 1742 by the Six Nations.

As to this "Walking Purchase," Parkman says, the white men were put in training for the walk, and that a smooth road was laid out that no obstructions should mar their speed. The Iroquois met the Delawares at council in Philadelphia in 1742, and thus addressed them, by the chief Canassatego:

"You ought to be taken by the hair of the head and shaken soundly till you recover your senses. You don't know what you are doing,—How came you to take upon you to sell land at all? We conquered you, we made women of you, you can no more sell land than women—We charge you to remove instantly—We assign you two places to go, either to Wyoming or Shamokin—We shall then have you more under our eye, and shall see how you behave. Don't deliberate, but take this belt of wampum, and go at once."¹⁵

Parkman says the Delawares dared not disobey. They left their ancient homes and removed to the Susquehanna, some settling at Shamokin and some at Wyoming. But, naturally, they had a very hostile feeling toward the whites, and this was doubtless the principal cause of their engaging against the English; even the Iroquois resented the aggressive acts of the white settlers in Pennsylvania, and became allies of their own former foes, the French.

War had been declared between France and Great Britain in 1744, and it was speedily carried into the colonies, where the English had already resolved to put a stop to French aggression, but it was not until 1755 that Pennsylvania became the theatre of the contest. Conspicuous among the Indians during the French War was Teedyuscung, the man who led the Delawares and their allies against the English. Reichel, in "The Crown Inn," thus describes him:

"July 17, 1756, appeared a lusty, rawboned man, haughty and very desirous of respect and command; dressed in a fine dark brown cloth coat laced with gold given him by the French at Niagara. * * Tadeuskundt, the Delaware King attended by a wild company of adherents, the women wearing skirts of Dutch tablecloths," etc. The next year 1757, the following gorgeous parade dress was furnished by Col. James Burd from the store at Fort Augusta: "1 regimental coat, 1 gold laced hat, 1 ruffled shirt, 1 yd. scarlett shalloon for collars, 1 pr buckles, besides a great variety of miscellaneous articles suitable to the vanity of this 'big Indian.' According to his own statement, he was born about 1700 in New Jersey in which neighborhood his ancestors of the Lenni Lenape stock had been seated from time immemorial. His father was Old Captain Harris, a noted Delaware of the Turtle clan. They were a high-spirited family, moody and resentful; not in good repute with white neighbors, and when their lands passed from them, they migrated with threats and reluctance. Teedyuscung was convicted of sin under the preaching of Moravian Brethren, but, as, he was considered as unstable as water, he was put on probation when he sought admission to Christian fellowship. He renewed the request, and was finally baptized as

¹⁵ See N. Y. Museum Bulletin, No. 78, p. 282, for meaning of wampum.

Gideon and received, but he failed to become a Christian, chafing under restraint and resisting the influence of the Spirit."

Incensed at the oppression of the Iroquois, and the injuries of the whites, and being urged by his untamed brethren to be their king and leader, he trafficked his peace of mind for the unrest of ambition and was chosen king of the Delawares in place of *Tademé*, who was friendly to the whites, and had been treacherously murdered. Teedyuscung was a large, muscular man, haughty in his bearing, witty, fond of admiration, a bold warrior, and a sagacious counsellor, but, unfortunately, very fond of rum, which proved his undoing. It was largely due to his influence that the great body of the Indians in Pennsylvania were arrayed against the English settlers or on the side of the French (though he claimed the French seduced them), for the Pennsylvania settlers were of all nationalities and could hardly be called English.

When Teedyuscung held a council of war with the Delaware, Shawanese and Nanticokes in December, 1755, it was determined to make the settlers along the Delaware pay the price of the "Walking Purchase" in blood. Nearly the whole of the family of Marshall (the man who successfully achieved the walk) were put to death, and soon the whole valley of the Delaware was devastated. There was another reason for the defection of the Indians as follows. March 1, 1755, Conrad Weiser wrote to Governor Morris, saying:

"When Tachnechdorus¹⁶ the Chief of Shamokin, of the Cayucker nation was down here in the beginning of winter, he told me the Indians had been informed that a lot of people from New England had formed themselves into a Body to Sittle the lands on the Susquehanna, and Especially Seahoantowano (Wyoming)—The said Chief then desired to make it known 'that whosoever of the whites should venture to Settle any land on Wyonuck or thereabout, belonging hitherto to the Indians will have his Creatures Killed first, and then If they do not desist they themself would be Killed, without distinction, let the Consequence be what it would.' I found he had intelligence that some of the New England people had been up the river Spying the lands."

Weiser suggests that this was the second warning, and that inattention to the matter might lead the Indians to array themselves on the side of the French (Pennsylvania Archives, Vol. II, page 260). The warning was disregarded and, as Weiser thought, incensed by the English occupation of more lands than they had ceded, the Indians favored the French, and many of them engaged against the English. Until this time the Iroquois were friends of the English, and for nearly sixty years there had been few depredations.

There were, however, a few Indians of good repute who remained friendly to Pennsylvania. Paxinosa, an aged Shawanese chief, a resident at Wyoming, and later at Diahoga; Scaroooyady, Andrew Montour,¹⁷ son of Madame Montour, and some others. Some friendly Indians were also reported at Diahoga.

¹⁶ Tachnechdorus was Shikellimy's son, who ruled for awhile in his father's place, but soon forgot his father's teachings.

¹⁷ The boys will enjoy reading Zinzendorf's description of Andrew Montour and his dress: "Andrew's cast of countenance is decidedly European, and I would have taken him for one, had not his face been enriched with a broad band of paint applied with bear's grease. He wore a brown broadcloth coat, a scarlet damasken lappel waistcoat, breeches over which his shirt hung, a black handkerchief decked with silver bugles, shoes, stockings and hat. His ears were hung with pendants of brass and other wires plaited together."

But with the defeat of Braddock, July, 1755, the whole country was ablaze, the Indians losing confidence in the English. And now, Pennsylvania, for the first time, felt the scourge of Indian wars. Through the autumn of 1755 the storm raged with devastating fury; so much so that early in 1756 Governor Morris offered that most hideous of rewards, a scalp bounty. His proclamation gave great offence to the Assembly, and it is claimed no Indian was wantonly killed for the reward. In this proclamation the following paragraph shows the location of Diahoga, and refers to it:

"And whereas sundry of our good friends and Allies; the Six Nations and other friendly Indians are seated upon and do inhabit the Country to the Northward of the Mouth of a River falling into the Sasquehannah, called Cayuga Branch, and those of the Six Nations have desired that our Hostilities might not be carried on more Northerly than a line extending from the mouth of the said Cayuga Branch at an Indian Town called *Diahoga* or *Tohiccon*—to the Indian Town called Cashetunk upon Delaware, I do declare that the Indians living northward are not included in the declaration of war."

From the very inception of this struggle *Te-a-o-ga*, or as it was now most frequently called, *Diahoga*, was a centre of activity. Midway between Shamokin and the Long House of the Iroquois, it was a rendezvous for council, and almost invariably the place to which the captives were taken. We have given 1755 as a date for Teedyuscung's operation, forgetting that Reichel tells us that his apostacy and fiendish raids began in 1754, and in November of that year he was the leader or participant in an attack upon the Moravians themselves in the wild, sequestered valley of Mahoning. It was here that Susanna Nitchman, a young Moravian girl, was first disabled by a shot and then taken prisoner, bound and handed over to an attending Indian, "*to grace his triumph on his return to Diahoga.*" She was first taken to Wyoming, where she saw Sisters Abigail and Sarah and piteously implored their aid; thence she was conveyed to Diahoga where, after having been subjected to the horrors of Indian captivity in its most revolting form, she sunk into deep melancholy, death releasing her from suffering in May, 1756.¹⁸ We think this is the first white prisoner of whom there is any record as detained at Diahoga; surely the first recorded death.

The French had a fort at Niagara, to which prisoners were generally taken after a sojourn at Diahoga. January 4, 1756, the Rev. Gideon Hawley, who was a missionary at Onohquoge (now Windsor), wrote to the Governor of Pennsylvania that the Governor's messengers had found *all the Delawares* along the Susquehanna were in the French interest, and that there were five English captives at *Diahoga*, and that the Delawares were so thick they dare not return by way of the river. They reported fifty cabins at Diahoga and about ninety grown men. In the Pennsylvania Archives, Vol. III, is the deposition of Henry Hess, who was made prisoner by Indians led by Teedyuscung, January 1, 1756, that when they came to Wyomick they found no Indians there, all having started up the river to settle at Diahoga, which now became the stronghold of Teedyuscung and the

¹⁸ From "Memorials of the Moravian Church."

Delawares.¹⁹ Hess says that the Indians stayed at Diahoga, "situate at the mouth of the Cayuga Branch," until planting time, then some of them went up to a place near the head of the Cayuga Branch, where they planted corn and lived for awhile. There were not only Delawares, but Shawanese, Nanticokes and Mahicans, now living at Diahoga.

It is said that the Iroquois, after the complaint of Tachnechdorus, told the Delawares they were not fit to live among white people, and commanded them to remove from Wyoming to Diahoga. Beauchamp says that Sir William Johnson had a long council with the Indians about this time. That a treaty was made with the Delawares and Shawnees, and the former were fixed at Tioga Point by the Six Nations, *where some Iroquois then lived*. Also, evidently for conciliation, that Johnson declared the Delawares were no longer women but men, and this was with the consent of the Six Nations.

At the Easton council, soon after this, Teedyuscung tells that though previously called woman, having a right to hold only a pestle, he had now a tomahawk, given by "his Uncles."

Later investigation shows that in 1754, alarmed at the French depredations, the Delawares asked the Six Nations to take off their petticoats so they could fight for themselves and their families.

Another deposition in the Archives states that the Wyoming Indians moved first to Tunkhannock, and when the weather was milder to Diahoga.

Samuel Clifford, who was taken prisoner near Oswego in 1755 or '56, escaped, and was recaptured near Diahoga, relates he was afterwards taken about forty miles up the Cayuga Branch, and later, with Henry Hess and others, to Wyomink, escorted by Teedyuscung and, he thinks, one hundred warriors. That twelve or thirteen English prisoners were left at Diahoga and vicinity by Teedyuscung—six men, four young women and three or four Dutch children; that "the children were painted black like themselves, and often cruelly beat and treated worse than the rest."

Leonard Weiser was taken prisoner and carried to Diahoga December 31, 1755. He said that at planting time they went to Little Passeeca, an Indian town on the Cayuga Branch, probably the same town mentioned by other prisoners. Weiser reports the Delawares as saying that the country was all theirs, and they were never paid for it, and this they frequently gave as a reason for their bad conduct. This examinant saw at Diahoga about twenty prisoners, nearly all of whom were women and children, whom he knew, whose husbands and fathers had been killed by the war parties of Teedyuscung, and their homes and stock destroyed. Provisions were very scarce; how sadly these poor prisoners must have fared! They were expected to provide their own food, and it was chiefly berries and fish; they were sometimes

¹⁹ It is a curious fact that the various writers of the Wyoming Valley ignore so much concerning Tioga Point. For instance, the Archives show that from 1756 to 1758 *Wyoming was abandoned by the Indians, all of whom moved up to Diahoga early in the spring of 1756*, and for those two years Diahoga was the headquarters of Teedyuscung. Paxinosa also lived there and in that vicinity for some years before removing to Ohio. Historians, as a rule, ignore this and write of Teedyuscung and Paxinosa as living *only* at Wyoming.

given a share of the trophies of the chase, but never bread or salt. They reported the Indians as cultivating much ground and having old apple and peach trees. They were generally forced to run the gauntlet, a fiendish ordeal, thus described by Mrs. Whittaker, an eye witness:

"The Indian women and children formed two lines with clubs stones & whips in their hands. The prisoners would be started at the head of the lines & made to run through the whole length—the women and children pelting them as they ran with their clubs & stones & striking them with their whips."

April 19, 1756, Edward Shippen reported to Governor Morris²⁰ that it had been told him by Johnny Shekallimy that there were about four hundred Indian warriors at *Tiaogo*, of the Six Nations, Delawares, Munsies and Shawanese, and about forty more at Wyoming, Mohicans, Mingoes and Shawanese; and that if an attempt was made to build a fort at Shamokin, as desired, they might expect to be attacked by five hundred Indians. At this time a long line of block houses and forts were erected from the Delaware River to the Kitchiny Hills, and one at Shamokin was in contemplation.

Just previous to this report, April 5th, one McKee had written to Shippen saying it was reported that the Delawares were moving from the Susquehanna to the Ohio, and wanted the Shawanese to go along, but that the latter declined and were "going up to a town called Teagoa, where there is a body of the Six Nations." (Pennsylvania Archives, Vol. II, page 615.) It was also reported that many canoes were being built, by which they hoped to reach the Ohio. They removed their families over the New York State line, probably to the towns known as Choconut (Vestal) and Owege. Or, as Mr. Craft puts it, "The Monseys (Wolf clan of Delawares) removed their families to the Iroquois country, where they would be beyond the reach of provincial scouting parties."

Diahoga being now the recognized stronghold of the Indian forces, in April, 1756, the Governor decided to send some friendly Indians as messengers to attempt to conciliate Teedyuscung and his followers; meanwhile suspending the declaration of war for thirty days, and appointing a day of fasting and prayer to Almighty God for peace, harmony, etc. Sir William Johnson exerted his influence to induce Teedyuscung to meet in this council, and Captain Newcastle,²¹ Jagrea and William Laquis started early in May with an invitation to the chief:

"To come down and meet his friends, the children of William Penn and tell them the causes of an alienation as unexpected as it was calamitous; if you lay down the hatchet and come to terms, we, the English will no further prosecute the war."

This was a hazardous mission, especially as the suspension of hostilities was not fully known, and scalping parties were abroad. Their experiences can best be told in Newcastle's report to the Governor, which was transcribed by Conrad Weiser May 31st, and read in council

²⁰ Pennsylvania Archives, Vol. II, p. 634.

²¹ Cashio waya or Kannksusy was a Six Nation Indian who, when a child, was formally presented by his parents to William Penn at Newcastle. He rendered eminent service as a messenger to the disaffected Indians at the commencement of the French War, and Governor Morris gave him, in 1755, the name of Newcastle, saying: "In token of our affection for your parents, and in expectation of your being a useful man in these perilous times, I do in the most solemn manner adopt you by the name of Newcastle, and order you hereafter to be called by that name."—From Reichel's "Memorials of the Moravian Church," p. 233.

at Philadelphia June 3, 1756 (Col. Rec., Vol. VII, page 137). It states that after tarrying four days they arrived at Wyomink and found nobody there, so they proceeded to Tiaogou where they found a great number of Indians, to whom they made known their errand, requesting that they would order a meeting of all their people. Messengers were sent out to all the small towns summoning the inhabitants to Tiaogou. They returned the next day with haughty replies to the effect that the Pennsylvania messengers having come so far, might as well come further and come to their towns. This Newcastle refused to do, saying:

"It was customary to transact matters of importance, and of a public nature in the *most public places* and that he insisted the meeting should be at Tiaogou."²²

The chiefs now yielded and assembled the following day, when they were addressed by Newcastle. He had already advised with some friendly Indians, and in his speech took the liberty of departing somewhat from the Governor's instructions. He exhorted them in the name of the King of England, as well as the Governor of Pennsylvania; told them he knew very well it was for want of understanding, and finally urged them to "*dig a hole as deep as the waters below the earth and there bury the hatchet, never to be found again.*" He was favorably answered by old Paxinosa, in behalf of the Delawares, Shawanese, Mohickons and Memksies (Monseys), showing what a large assemblage there was in this region. Teedyuscung also spoke, saying the Delawares, who were under French influence, were going to the Twightwees (in Ohio). Many strings of wampum were exchanged, and the council was dissolved with a friendly feeling. Jagrea, however, thus closes his report to the Governor:

"A happy foundation is laid on which you may erect a good Building, *but it behooves you to use Dispatch*, and send us back quickly with your answers, least, as Times are dangerous, anything may intervene to frustrate the good Work so fortunately begun."

A further proclamation was immediately issued by the Governor and Assembly for a suspension of hostilities for thirty days longer. Even the short delay caused by arranging this made the Indian messengers very uneasy, and Conrad Weiser, their interpreter, reported to the Governor that they feared "*their long stay would make the Diahoga Indians believe either that they were cut off by the English, or that this Government did not mean to conclude a peace with them, that Captain Newcastle was out of humor,*" etc. Whereupon the Governor informed them he was waiting to hear the result of the council of the Six Nations, which was in session at Onondoga. This was expected to be favorable, as it was largely due to the dictates of the Six Nations that the messengers to Diahoga had been favorably received. It having been decided, however, that it was unwise to detain them, the messengers were intrusted with a long message from "*The Governor and the People of Pennsylvania to the Indians gathered at Diahoga.*" In this he thanked them for the kind treatment accorded his messengers, praised their present disposition, invited them to a council later at the

²² Col. Records, Vol. VII, pp. 137-150. Note this was *not* called a treaty.

house of Conrad Weiser, promised to release prisoners, relieve their distress, and told of the fort to be built at Shamokin to shelter friendly Indians. All these messages were interspersed with presents of wampum, after the curious Indian fashion, according to which no council, however small, could be conducted without the presentation of innumerable strings and belts. Several Jersey Indians were prevailed upon to accompany Newcastle on this second journey. They had been gone but a day or two when the expected messenger, Colonel Clapham, arrived (from Colonel Johnson) as a representative of the Iroquois living on the North Branch of the Susquehanna, requesting, among other things, that a fort be built at a place fourteen miles above Wyoming, called Adjouquay, "at the entrance of a deep creek—an old woman may carry a heavy pack of skins, from thence to the Minisink and return in two nights." Surely a curious way of measuring distance! This fort was not built, however.

On the 17th of June the Governor received a message that Newcastle's party had been detained at Bethlehem on account of a scalping party of one hundred from New Jersey who were on the war path. An express was sent at once to Governor Belcher of New Jersey asking that their friendly messengers should not be hindered or delayed. June 28th very careful directions were received from Captain Newcastle, saying that he would come again in about twenty days, and that he would have a certain signal by which he or any advance guard would be surely known and protected, the said signal to be a Green Bush in the hands of the foremost of the party. Previous to this there had arrived some friendly Indians from Diahoga, who passed Newcastle on the way.

These friendly Indians were Jo Peepe and Nicodemus, who reported as follows:

"That several hundred Indians of divers Nations in & abt the Allegeny Mountains were gone to hold a Council, & form themselves into a Body, (to whom the ill-dispos'd Indians at Diaogu were gone in order to join them) and then come down from Allegeny, Whither the way was free & open, & murder all the white People. This moved Nicodemus & Jo, with their families, to retire from Diaogu & come down to the English, that they might not be forced by the imbitter'd Indians of Diaogu to assist them in their wicked Purposes against the English. And now these Indians are afraid that the French & the Indians will again commit many Murders & Ravages, particularly this Harvest.—Further they believe that there will be no Peace with the Allegeny Indians & their wicked Consorts so long as the Lands on the Ohio continue in the French Possession; for that these Indians will be instigated by the French to do Mischief to the English wherever they can."

The Governor immediately sent several of these Indians to overtake and accompany Newcastle with additional messages to the friendly Indians remaining at Diahoga. It is *evidently untrue*, that the chief accompanying Colonel Clapham, who had been sent with a message to Diahoga from the Six Nations, claimed that at Diahoga he had found "only a few women, some sick with the smallpox, many dead, and a few others planting corn."

On July 6th four more Indians from Diahoga arrived with a letter from Newcastle, asking that they should be given provisions. On being interviewed they reported they were all Shawanese, formerly of

Wyoming, *now of Diahoga*. One of them said he knew that the Five Nations were all friends to the English, but when asked about the Delawares answered: "About them I can say nothing." July 20, 1756, Governor Morris reports the return of Newcastle, bringing with him Teedyuscung and forty others, men, women and children, "with whom I hope to establish an Accommodation and break the confederacy," says Morris.

They had stopped at Bethlehem²⁴ until assured that all preparations were made at Easton, where the council was to be held. Although, according to the Archives, Vol. II, page 715, the Governor attempted to change and hold the council at Bethlehem, it was not so done. Reichel says because the Indians raised objections. Quite as probable, judging from the correspondence, because the Moravian Brethren were very uneasy; there were no troops stationed there, and they feared an attack from Indians or French. When the Governor's proposition was made to Teedyuscung, who had already gone to Easton, he gave this amusing reply:

"Brother, I am very glad to hear from you. At the distance of 400 miles from hence I received your invitation to come and make peace. I understood you had laid a Junk of Fire here at Easton that I might come and smoke my pipe by it. Brother since you sent that message I am come and will stay here. And cant understand what you mean by sending me about from place to place like a *child*."

Before the arrival of the Governor it was reported that "the King and his wild company were perpetually drunk very much on the Gascon—the King, full of himself, saying, 'Which side soever he took must stand, and the other fall.'"

On Saturday, July 24th, the proceedings were begun by the sending of a string of wampum by Governor Morris to the Delaware King, as Teedyuscung had announced himself to be on his arrival at Bethlehem. On the 26th the Governor entertained the chiefs at dinner; considerable difficulty was experienced in selecting interpreters, but this being adjusted the conference began in earnest on the 28th. (It is a curious circumstance that this council or treaty is ignored by several historians, when it is all contained in the Archives.)

The Governor opened the conference, giving a hearty welcome, offering protection, and asking answers to messages sent by Newcastle. Teedyuscung replied in a long and able speech, offering to carry the message of the English to the United Nations, *even if disagreeable*. Teedyuscung had already said outside, in the most boastful manner, that he came from the French, and was now in the middle, between French and English, and would publish aloud whichever side he joined; that he had been made King by *ten Nations*, who would ratify what he should do. In the council he made use of a curious word, "Whish Shiksy," which he explained by saying he wished the English to help them in every way to be strong, etc. (See Pennsylvania Archives, Vol. VII, page 209.)

The Governor replied at length, two days being taken up by him and the interpreters. He promised protection, provisions and presents,

²⁴ For a most interesting and detailed account of their entertainment at Bethlehem, see Reichel's "Memorials of the Moravian Church," pp. 229-250.

and asked their assistance for Pennsylvania, and loyalty to the English. Teedyuscung replied by presenting a belt from the Six Nations, which he claimed indicated that they had once more made men of the Delawares, and proposed they should all stand together in resisting the French, etc. The conference continued until July 31st, Teedyuscung speaking fair at times, and again being angry, suspicious and troublesome, due, no doubt, largely to the quantities of rum he was imbibing. The Governor, at the close of the conference, appointed Newcastle and Teedyuscung as agents for the Province, authorizing them to do public business together. A peculiar incident of this council was the appeal of Newcastle for protection, claiming that the Delawares had bewitched him, and he should die soon. Although a very sober man he appeared at this time to be "much in liquor." He claimed that Teedyuscung had warned him that he had overheard two Delawares say they would put an end to his life. Here Teedyuscung burst into the room in a violent rage and desired that Newcastle should not be believed, but there is little doubt but there was bad blood between them.

The Archives say:

"To the surprise of everybody Captain Newcastle was seized this morning (day following above) with a violent pleurisy, and thought to be in great danger, but on losing some blood and taking proper physick the violence of the distemper abated and he recovered."

Very early in this council a letter was received from the Moravian Spangenberg saying it was currently reported at Diahoga that Teedyuscung was the man that occasioned the late war. That he made an exceedingly great belt of wampum and sent it to all Indians living on the West Branch, saying, "I am in exceeding great danger; the English will kill me; come and help me," etc., consequently that he was the *only person* who could make all things good again. But that he was poor and must have much wampum given him to send again to all the Indians he had inflamed.

At the close of the council many presents were given, also provisions, and Teedyuscung boldly asked for a horse to convey his share on the road. The Quakers of Philadelphia had sent considerable gifts, in addition to those of the State, all of which were now distributed.

The results of this conference were not definitive, although Teedyuscung gave the assurance that he would exert himself faithfully in the service of the Province, agreeing that he would, without delay, return to Diahoga, lay all that had passed before the Six Nations, who would be pleased, and that he would send belts and strings of wampum to all Indians, far and near, over whom he had any influence; also that in two months he would return with great numbers of Indians of different nations and there hold a council, when everything should be finally settled.

It can hardly be said that he kept his word. Newcastle, called "the faithful old chief who had risked his life for the restoration of peace," now set out for his home. Teedyuscung repaired to Fort Allen, and three weeks later was reported as still there and, with all his company, "perpetually drunk," and that they had expressed themselves in terms inconsistent with their professions at Easton.

Conrad Weiser was at once dispatched to represent to the chief and his comrades the great danger that might be to the public from this long delay, and to send them away directly. Captain Newcastle, on hearing of this stay and behavior of Teedyuscung, became so uneasy that he offered to go to the Six Nations to inquire into the character and credentials of the Delaware King. The new Governor, Denny, immediately dispatched him on this errand, sending him by stage boat to New York to hasten matters, for, on inquiry, it was found that Teedyuscung had been doing very mischievous work among the Bethlehem Indians, and telling that in three weeks a body of Indians would come to destroy all the inhabitants of that region, and that he should continue in the French interest. Late in October Newcastle returned, reporting that "The Delaware chief did not speak the truth when he told the Governor he had authority from the Six Nations to treat with Onas." However, in September, a report had come from Diahoga that the Six Nations were highly displeased, and that now Teedyuscung (who evidently had returned to Diahoga) had altered his mind and spoke very much to the English interest to the Indians.

And how fared things at Diahoga? Let some of its story be told by another poor prisoner, one John Cox, who, having escaped from his captors, came before the Council at Philadelphia in September, 1756. He told that in March previous he was taken to Diahoga by three Indians. There they found about fifty warriors of the Delaware, Mohican and Minesa tribes, and about twenty German prisoners; that while he remained at Diahoga small parties of Indians often went out to destroy the inhabitants, and as often returned with their scalps, but no prisoners; that their whole conversation was of vengeance against the English, and resolutions to kill them; that all summer the prisoners had nearly starved, and some had died, having only *dog flesh*, roots and berries for food; that one hundred Indians went to the Ohio for provisions and ammunition; and that the condition was so distressing that the Indians at Diahoga proposed to *make peace with the English rather than starve with the French*. That when the Indians started to the council it had been said the object was to know of the Governor whether the English would agree to make peace, but he was told they were only gone to see whether the English were strong and to get provisions from them. When he was first taken prisoner at Kittatiny, in February, a party came from Diahoga with seventeen scalps fixed on a pole, carrying them to Fort Duquesne to obtain their scalp bounty.

At this same council John Shickelamy came from Diahoga and reported to the Governor that he had met Teedyuscung thirty or forty miles above Wyoming on his journey to Diahoga and the Six Nations. That he, Teedyuscung, had attended a treaty lately held at Onontago, at which four of the Six Nations had received the King of England's hatchet and danced the war dance, and will certainly fight the French. But the Cayhukus (Cayuga) claimed they were obliged by treaties to stand neuter, and the Sinickers had sent no deputies. Also, that all the Delawares and Shawanese who had lived on the Susquehanna

River were for peace, and joined with Colonel Johnson. That last winter the Six Nations had sent many belts to the Delawares and Shawanese and desired them to leave off doing mischief. That Teedyuscung was the *only person* who set up the Indians against the English, and that the Six Nations were much displeased with him. Shikilimy did not seem to think Teedyuscung had been made king; said he was present at the treaty at Onondaga, and that Colonel Johnson made the Six Nations take up the hatchet against the French.

Two of the men of Teedyuscung's retinue deserted and came to Philadelphia, giving as a reason that they saw nothing but want and hunger before them if they went to Diahoga, and therefore they would stay with the English till the King came again.

In September more prisoners escaped to tell about Diahoga. Daniel McMullen reported that he had been there ten months a captive; that some of the Mohawks were friendly to the English; that he was first sold by his captors to a Mohawk, and then to *French Margaret's daughter*, from whom he escaped with a companion who was at Wio-ming in March, 1756, when all the Indians (hearing the English were coming) collected and marched in a body with their families and effects to Diahoga. There, having called a council, and being still afraid of pursuit by the English, they divided themselves, and about one-half, with their families, removed to Alleghany, the other half to Conasetego, on a fork of the Northwest Branch, about forty miles west of Diahoga.²⁵ Moffatt also told that he heard the Delaware King say, in a drunken frolic, at his mistress' house above Diahoga, that the Indians could *make peace* and they could also *break peace* when made; this was about a week before Teedyuscung went to Easton. He also told that the King sold an English woman prisoner for a horse on which to perform his journey. There is little doubt but that Teedyuscung was a black-hearted rascal.

However, he was now on his way down the river for the second treaty. As an advance guard he sent some of his men with four English prisoners, and desired that his own wife and children, who had remained at Bethlehem, should be sent to him. The wife refused to go. This was probably done as a test, as three times on the journey Teedyuscung and his party had received messages (purporting to be from Colonel Johnson) not to go further or the English would kill them. Reassuring messages were sent to the chief, and October 29th Teedyuscung arrived at Fort Allen with about thirty Indians; a large part of those who had come with him from Diahoga tarried behind to see what reception their chief would meet with. Captain Newcastle, who had recently returned from his mission to the Six Nations, was just at this time taken with the smallpox, which proved fatal. Weiser proceeded to Easton to arrange for the treaty, and soon reported the arrival of Teedyuscung, and that the old man seemed very glad to see him. Weiser proposed that the council should be held in Philadelphia, but to this the king objected, not being sure it would have a good effect on those not yet arrived. Weiser wrote to the Governor thus:

²⁵ According to this, the Iroquois *did not* order removal.

"I am apt to think Teedyuscung's authority is not so great as he gave out, but I take him to be entirely in our interest," etc.

Some runners from those holding back arrived to see if the king and his companions were alive. On Monday, November 8th, the conference was opened, the Governor, some members of the Assembly, and some interested Quakers having come from Philadelphia, Benjamin Franklin being the Chief Commissioner. This council lasted nine days; the causes of the late 1756 war, complaints of the Indians, etc., were discussed. Teedyuscung claimed to have done his duty faithfully, though he asserted the ground on which he stood was his inheritance and taken from him by *fraud*; explaining that he meant *all the ground on the river Susquehanna, from Tohiccon Creek (Chemung River) to Wyoming*. When asked what he meant by *fraud* he mentioned forged deeds, and said the Delawares had never been satisfied since the "Walking Purchase" in 1737.

On the third day of the conference a runner arrived reporting that forty Indian warriors from Diahoga were on the way, having been told that Teedyuscung and all his company were cut off. They were come to revenge his death, but hearing the chief was safe they were glad and would not advance. It was thought proper to invite them to attend the treaty, but they decided to remain at Fort Allen, where, in case of success, the goods would be brought for distribution. A full account of all these proceedings is given in Col. Records, Vol. VII, in which it is said that this treaty was not concluded because the Indians did not bring their prisoners as had been requested of them.

At the close the King presented the Governor with fifteen deer-skins to make him some gloves, many goods were distributed to the Indians, and all parted on friendly terms. Conrad Weiser, by the Governor's orders, escorted the Indians to Fort Allen, and had many trials with Teedyuscung because of his fondness and demand for rum. The dividing of the goods was completed and the Indians made ready to return home. Weiser, in his journal, says:

"Deedjoskon *quite sober* parted with me with tears in his eyes, desired me to stand a friend to the Indians and give good advice till every thing desired is brought about. Though he is a drunkard and a very irregular man, yet he can think well, and I believe him to be sincere in what he said."

While it is supposed Teedyuscung returned to Diahoga little is known of the events of the next two months in that locality. In December Governor Denny wrote to Sir William Johnson apologetically concerning the late treaty, since Sir William had been appointed sole agent of Indian affairs in this part of North America, and had apparently been dissatisfied with the various conferences in Pennsylvania, as Lord Loudon had prohibited Governor Denny from holding further treaties or conferences. He appealed to Sir William to endeavor to establish peace on foundations laid; said that he looked upon Teedyuscung as the chief of the Susquehanna Delawares, so regarded by the Indians "*now settled at Diahoga, who are a collection of Delawares, Shawanese, Mohicans, and some of the fugitive Six Nations formerly on the Ohio.*" He also stated that the chief had proposed another meeting in the spring, and desired Sir William to fix a time

for the council of the Indians "when they can best be spared." In response to this Sir William appointed George M. Croghan "Deputy Agent for to transact Indian affairs in this Province."

January 12, 1757, Jo Peepy and Lewis Montour were sent to invite the chief at Diahoga and the Susquehanna Indians to meet Mr. Croghan in conference at Harris Ferry later in the season.

This conference, known as "*Teedyuscung's Treaty*," proved to be "*Croghan's*," and was held at Lancaster in May. According to the Moravian records, for two or three months previous, Indians, "all from Diahoga," men, women and children, with an occasional captive, were arriving at Bethlehem asking to stay "till the king comes," and that they were sent by him to say they were all for peace. They were lodged near the present Lehigh Valley station in South Bethlehem, and fed at the expense of the Province, the accounts in full being found in the Memorials of the Moravian Church. While the Brethren were often annoyed and troubled by the Indians, whose friendship was so dubious, they were uniformly kind and gentle, even caring tenderly for the sick, giving land for the savages to plant corn and beans, and ministering to their souls' needs also, when possible. The appointed opening of the conference was delayed by the non-appearance of Teedyuscung. Many of the Indians became very uneasy, and some returned home, saying if they met the chief they would accompany him back. Those who remained appealed to Governor Denny, who, out of respect to Johnson and Croghan, did not propose to be present. He thus reports to the Proprietaries:

"When they (Indians) heard nothing from him nor that he was returned from the Seneca country where they were told he was gone, as they passed thro' the Diahoga Town where he lived * * they began to repine * * and to be much out of humor. . The season for planting Indian corn approaching, they sent two of their chiefs to tell me they could stay no longer, and to request I would come and take them by the hand, having many things to say to me. It was very disagreeable to leave the seat of Government to attend Indians with whom I had nothing to do; nevertheless with the advice of the council I went to Lancaster. I had the mortification to hear from their own mouths that these very Delawares, who were treated as Women, thrown out of the Council, and ordered to live on the Sasquehannah, by their Uncles the Six Nations—had now put the Six Nations to defiance, and were so strongly supported by the Senecas, that their other uncles could not terminate the difficulties between them and this Government. Sensible of this, and honest, they advised me to write to the Senecas and solicit their favor as the only means to bring about a firm and lasting peace with Teedyuscung and the Delawares."

As if in defiance of the attempted treaty, there was an Indian raid at this time, desolating a large tract of country to within thirty miles of Lancaster; and four dead bodies, "scalped and butchered," were brought to Lancaster and laid at the very door of the Court House, "a spectacle of reproach," says Governor Denny, "to every one there, as it must give the Indians a sovereign contempt for the Province."

On account of the absence of Teedyuscung this conference was closed without transacting any business of importance, though many tribes of the upper Susquehanna were represented.²⁶ The king sent

²⁶ Croghan reported Mohawks, Oneidas, Onondagas, Senecas, Cayugas, Tuscaroras, Nanticokes and Delawares, in all about 200. They reported that they did not wait at Diahoga

word that he was coming and had been detained only by going so far among the Six Nations. Messengers were dispatched to inform him of the proposed later conference, and promises to redress all grievances, inviting him to come down with his Uncles, the Senecas, when convenient. The Indians present reported that they heard at Diahoga that a great number of Indians would come with Teedyuscung, "some with a true love of peace with their brethren, the English, and some for want of everything, especially victuals." Conrad Weiser, acting as their interpreter, they said to him: "Is it true that you are become a fallen tree, that you must no more engage in Indian affairs? What is the reason thereof?" On being told that Sir William Johnson had been appointed by the King of England to manage *all* Indian affairs, and had ordered Pennsylvania to desist from holding treaties, they expressed much regret.

All these negotiations for peace had as yet been of little avail, for the Province was still exposed to the devastations of the French and the western Indians, who roamed over the country in small parties and, especially in the southern counties, kept the inhabitants in continual alarm. It has been truly said that there was a great lack of ability and energy on the part of the authorities of the Province at this time. Well-directed efforts might have driven the savages back, but imbecility distinguished the British ministers, and discord prevailed in Pennsylvania.

In the Grand Council at Easton:

"Teedyuscung, with an eloquence unsurpassed by any Indian chieftain, supported the rights of his nation with great dignity and spirit. Unfortunately the Commissioners struck out so much of his address as reflected on transactions of Provincial Government of Pennsylvania."

It is evident, however, that the king was not in good repute with all the Indians, or that they were not in sympathy with the English; for some of them even went so far when the powder was given them after a treaty as to say "*now we have got something to kill our brethren with,*" at the same time declaring they did not mind Teedyuscung. It was even claimed that he was party to some distressing raids and murders which occurred in his vicinity, when he was on his way home from the treaty of November, 1756. After this treaty some Indians claimed that Teedyuscung had not told all the truth; Conrad Weiser having said that he did not understand about the cause of the war; the chief blamed now the English, now the Proprietaries, and now the Indians, etc. Weiser was told that while all that the chief was to say was agreed on beforehand:

"He was so often overcome with Liquor that he spoke confused, though nothing that was wrong; and that he never mentioned what drew the Delawares heart from the English and their Indian allies. That he should have told of the differences between the Delawares and the Mingoes;²⁷ how the latter cheated the former out of a great deal of land and sold it to the Proprietaries. That the Mingoes abused the Delawares as if they were their dogs and *ordered them to settle on the Sasquehannah*, which they did, thinking themselves safe. But in

for the king because it was such a hungry country, "They have nothing to eat but walnuts and wild potatoes." Deer had been scarce for two years and the Indians had petitioned the Governor for provisions.

²⁷ Delaware name for Iroquois.

about three years a company of New England men came, making draughts and planning settlement, and telling the Delawares the land was not theirs but the Mingos. When the Delawares made complaint, saying they would go over to the French, the Mingos deceived them, concealing the fact of the sale to New Englanders. At last our people were terrible angry, and suspected they would be cut off, and by that alarm our Indians gathered at Diahoga to see what would be the consequence; either they would join the French or maintain their lands."²⁸

The narrators said the chief was afraid to tell this story when the Mingoes were present, who had always been deceitful and artful. But they begged Weiser, as later did Teedyuscung himself, to endeavor to persuade the Governor to lay out a larger tract on the "Sasquehannah" and *secure it to them and theirs*, and Weiser promised to do it. (Here it is plain that the Connecticut settlers had other foes than Pennamites.) Some of the Indians who came to Croghan's treaty reported that there was another company from about Diahoga who were minded to come down and do mischief to the white people. Also, that they had encountered a band above Wyoming who had the same evil design, and who claimed they were waiting for twelve more who were "coming down on a *raft*;" that they might go to Minnisink or down the Susquehanna. This naturally created a feeling of uneasiness and extra messengers and supplies of food were sent to meet the king. But it proved that he was too far away to come on time.

January 18, 1757, the messengers returned to Bethlehem and reported that the king would arrive in eight days; that he was still one hundred miles above Diahoga, and that he had been diligent in performing the several matters he undertook at Easton. He requested that the Governor should be ready for the treaty and not detain him longer than necessary. Whether this was on account of harvest time or a specimen of his pomposity is not recorded, but the Indians were very uneasy and wished the matter settled.

It is worthy of note that when the messengers were sent to Diahoga the Council there, *the same night*, dispatched messengers of their own to Ohio to inform the Delawares and Shawanese, and that if none of them should choose to come, the messengers were to insist that the Ohio Indians should not come to war against the English until after the treaty. It is interesting also to read in the Colonial Records that these messages being referred to the Senecas in control, they told the other Indians they must not accept the call, *because the wampum belts sent were not the proper kind*, in which sentiment Teedyuscung later acquiesced. Teedyuscung not only asked the Governor to be prompt, but that he should have good tobacco ready, and that he should send several horseloads of provisions to Wyomink to meet him, as he should have a great number of people with him; also "a little Dram." He furthermore sent word that the French were cognizant of the proposed treaty, and were trying to intercept the travelers, and urged him to trust no Indian unless he gave a certain signal.

It was reported by the messengers that the Indians had at first been afraid to come, but when their friends returned in safety they

²⁸ Here we find a settlement at Tioga Point due to the pressing of the Connecticut claim, just as it was thirty years later; an interesting coincidence. Also further evidence that the move to Teaga was *not* by order of the Six Nations.

were ready. Early in July Teedyuscung arrived at Fort Allen with twenty Indians, reporting that one hundred Senecas would follow in a few days. Soon they invaded Bethlehem, and once more the Moravian Brethren were kept in a state of excitement and trouble. Reichel gives a good, concise account of the treaty,²⁹ which it seems well to use: "The third treaty at Easton, held between Teedyuscung for the Indians, and George Croghan for the English, opened formally on July 27th and closed on August 7th. Governor Denny and his Council, and gentlemen from Philadelphia, were present. Of Indian counselors and warriors there were 159 of Teedyuscung's followers and 119 Senecas. Teedyuscung having demanded a secretary to take down the minutes for his revision, it was reluctantly granted him. He at once named him 'Man of Truth.' This was really an amusing incident, the king evidently being determined to impress the assembly with his importance. He said his memory was weak, and that to have minutes would prove the truth." Conrad Weiser, however, believed it was not his own idea but suggested to him by *meddlesome* persons. Teedyuscung said he was a king, and as such had a right to have a clerk, *would have one*, and would be no longer led by the nose, and desired the Governor might be told so,³⁰ also.³¹

When the real business began the king once more claimed that the fraudulent land purchases had provoked the war, and demanded that the matter should be investigated closely, and that if injury had been done the Indians should have redress. He said, "I will speak with a loud voice, and the nations shall hear me." He stated his purpose to return and settle at Wyoming, saying he would have a white man's town, with provision for education and religious instruction. He demanded that the deeds of purchase should be made public, even laid before King George for his determination. This being promised he claimed to confirm a lasting peace in ancient method, closing by the presentation of two belts of wampum tied together. The Governor responded in a similar strain and presented a large white belt with figures representing King George, the Five Nations and Teedyuscung. The king had already requested that they should have assistance in re-establishing themselves at Wyoming, which had been promised. On one occasion, some exceptions being taken to the king's minutes, he answered:

"Don't you see that I aim by having a clerk of my own to exceed my ancestors, by having everything for the best?"

Weiser also reports that he did not drink as much strong liquor as usual, so it is evident he was endeavoring to do right as far as

²⁹ "Mem. Moravian Church," p. 327. For fuller information see "Colonial Records," Vols. 7 and 8; also Pa. Archives, 1756-60. Egle ignores this treaty in his "History of Pennsylvania," a curious circumstance. He has an exalted idea of Teedyuscung which can hardly be sustained if the State records are carefully read.

³⁰ "Colonial Records," Vol. VII, p. 658.

³¹ Sherman Day, in Hist. Coll. Pa., says the Quakers suggested to Teedyuscung the propriety of having a secretary "*to prevent that convenient forgetfulness which often seized the proprietary secretaries whenever the proprietary interest required it.*" He says the Quakers not only desired peace, but to see justice done to the Indians; also that the chief, *though plied with liquor*, was proof against the wiles of the Governor and Colonel Croghan. For it is a disgraceful fact that the white men really attempted to muddle the Indian brain with rum on such occasions.

possible. However, the Six Nation Indians became very angry with him for dwelling so long on the land affairs; they even interrupted one of his speeches to the Governor, saying, angrily:

"Why did you bring us down? We thought we came to make peace with our Brethren the English, but you continue to quarrel about the land, which is dirt, a dispute we did not hear of till now. We desire you to enter upon the business we came down for, which is for peace."

Here most of the Indians gave sounds of approbation. Of this, Conrad Weiser made careful report. The deeds were shown in open council, an exchange of all prisoners agreed upon, and a grand entertainment was given to all the Indians, men, women and children. After this dinner peace was proclaimed, and all were recommended to treat the Indians kindly and preserve their friendship. Both the Province and the Quakers present provided quantities of gifts. With these, however, the Indians seemed not satisfied, Teedyuscung complaining evidently of the lack of firearms, urging a scalp bounty, etc. However, by the 7th of August, he announced that the treaty being over and peace confirmed, he had decided that it would be for the public service if he proceeded immediately to Diahoga to proclaim there the confirmation of peace, which he accordingly set out to do.

It is worthy of note that, following a peculiar custom of some Indian tribes, the Nanticoke Indians present at this treaty asked that the Governor would grant them an escort to Lancaster that they might remove the bones of their friends that died there during a former treaty, to their own town for burial.³²

The need of making the most of peace with the Indians was shown within a few days when news was received of the surrender to French forces of Fort William Henry. Great concern was felt for the safety of the colonies.

Teedyuscung was faithful to his promise. He hastened toward Diahoga, but returned to Bethlehem August 25th, bringing with him a peace belt which he had received from four Alleghany's above Wyoming, who came from two chiefs of Ohio Indians. They said they had struck their brethren, the English, at the instance of the French, adding:

"We have heard O Teedyuscung of the good work of peace you have made with our brethren the English; we will not lift up our hatchet to break that good work."

This belt Teedyuscung conveyed to Philadelphia and delivered to the Governor in council August 30, 1757. A few days later, being summoned to meet the Governor, he made much complaint because the treaty had not been published; called Croghan a rogue, and wished to deal directly with Pennsylvania rather than with Sir William Johnson. However, he was pacified and friendly messages were sent to Ohio. The king seems now to have changed his mind about hastening

³² The Nanticoke always exhumed their dead after a certain period and reburied their bones, generally in a common pit known as an ossuary. Heckewelder relates they were known to go from Chemung to the eastern shore of Maryland for this purpose, even when they were obliged to take off the flesh and scrape the bones before they could carry them, and that they sometimes passed through Bethlehem with such bones, "which being fresh were highly offensive."

to Diahoga, indeed, it seems he never returned there. On his return from Philadelphia, September 6th, he asked the Moravian Brethren to allow him to pass the winter at Bethlehem. Permission was reluctantly granted; he had a lodge built near the Crown Inn and Reichel says:

"Here he held court, and give audience to the wild embassies from the implacable Monsey (who did not concur in treaty,) from the gates of Diahoga and from the Alleghany or the Ohio country."

Meanwhile there was trouble enough at Diahoga. A body of French and Indians had appeared near there, their mission being to go all along the frontier and spy the strength of the forts. Teedyuscung at once advised offering rewards for scalps and prisoners, and sending a black belt of wampum. However, but a few days after the arrival of the Diahoga messengers with the above information, the son of the old chief Paxinosa arrived with the intelligence that the French and Indians had been compelled to halt at Diahoga, the Delawares there refusing to permit them to pass. On the return of this messenger the king sent two belts to the *Ten Nations* "who had taken hold of the peace belt at Easton." By the first he commanded that they discover the perpetrators of the late assaults on settlers, and restore all captives; by the second he notified them of his residence at Bethlehem, where visiting chiefs could be given by him safe escort to Philadelphia. In October he spent two weeks conferring with the Governor, advising that the black belt be not sent; learning of the appointment of commissioners to build a fort and houses, as requested, at Wyoming, and, as usual, making not too modest requests for wampum, money, horses, etc.

In October there was reported "another great company not far from Tiaoga, mixt with French, going to war against the English." In November he accompanied the commissioners to Wyoming. In December he was again at Philadelphia, wishing to postpone building until spring. In December messengers came from the west reporting a proposed expedition of French and Indians in the spring against Shamokin and vicinity. In May, 1758, Teedyuscung and his following removed from Bethlehem to Wyoming, and the Moravians rejoiced, Reichel saying:

"And on the going out of these spirits 'The Crown' was swept and garnished, and Ephraim Colver, the publican had rest."

With the year 1758 all the Indians but the Munseys seemed resolved to keep the peace along the Susquehanna. In January Job Chillaway came to Fort Augusta to trade with skins. He was "from the Munsey Country at the Heads of the Cayuga Branch above Diahoga." He assured the people at the fort that the only unfriendly Indians were the Munseys, who were then planning to join the French in an attack on an eastern fort.

Early in March three Indian deputies came from Diahoga, whom Teedyuscung escorted to Philadelphia, asking audience of the Governor. The king was in an insolent mood, and the Governor appealed to the Council, by whom it was decided that it would be wise to receive

him, which was done March 15th. He announced that the deputies came to say that news of the Easton treaty had been widely spread, and he boasted, "*I have made all these Nations as one man.*" Indeed, he made a characteristic and vainglorious speech,³³ and urged that the work be continued. He also said they had discovered that the trouble all came from the French, *who must die*. For himself he made some further demands as to the re-establishment at Wyoming. He suggested that a messenger should be sent to the Cherokee Indians urging them to be English allies rather than French. He made great demands for reimbursement of all his expenses. After consultation in council the Governor replied, acquiescing in many of the demands; proposing that the peace belt should be sent to all the Ohio towns. The chief was also informed that it seemed "necessary to open a great road from Diahoga and the Heads of Susquehannah to Fort Augusta." Teedyuscung objected to this and was told it was only a proposal for the Indians to consider. With this the Indians were dismissed March 25th. They were, however, to have had another public meeting, but hearing of the advance of some Cherokees they begged Teedyuscung to allow them to return to put the northern Indians on their guard. They departed, although the king assured the Governor they would return soon with answers, etc.

A few days later a delegation of twenty Indians from Diahoga arrived at Fort Allen with a belt of white wampum, assuring the English they would keep their young men at home, and would do no more harm to the inhabitants. Doubtless, they came because of the proposed French and Monsey attack on Fort Allen.

On the tenth of April the king returned to Philadelphia to urge that the western Indians should be left to him to settle, but before leaving he asked the English to join with him. He was informed that raids and murders continued in the Province, and urged to go or send some of his young men to stop this work, and that thereby he would show he was in earnest. He at once departed to comply with this request, and was soon at Fort Allen, promising his young men, and also arranging to send several messengers to the western Indians. He then returned to Philadelphia, whereupon the people at Fort Allen and Bethlehem had much trouble with the proposed messengers, who took a good deal of rum, claimed they had warning dreams, etc. Two messengers arrived from up the river, also, who seemed to give the impression that there would be serious trouble again. The king's visit was to urge haste in building the Indian houses at Wyoming for fear he would be blamed. He also said he could not tell what Indians had committed the late depredations, and he was requested by Governor Denny to send out scouts and rangers on his return to Bethlehem.

There seem to have been troublous times at Te-a-o-ga since Teedyuscung had deserted it. There was a rumor of a conspiracy among the French to destroy the Six Nations, and migrations toward the south were frequent. Early in May a Delaware family went from "Tiahogan" to Fort Augusta, reporting that more would follow them

³³ See "Colonial Records," Vol. VIII, pp. 33-42.

that *would not be commanded by Teedyuscung*, as his way of acting was disagreeable to the Indians about Tiahogan, although, because of the good work of peace, they would be advised by him. These Delawareans reported the Indians about Tiahogan as all well affected to the English, no danger of breaking with them again. Soon after this, Benjamin, a Mahikan, from near Bethlehem, was sent for by his sister, living in the Nanticoke town, Cennigo (now Binghamton). On returning he reported that near Diahoga he found the old Shawanese chief Paxinosa and his entire family, who told him they were about to move to the Ohio. That all the Indians were in a hurry to move from the Susquehanna, having heard *the English* had very bad designs on them, and that even the Wyoming settlement was only a pretense. Benjamin tried in vain to pacify Paxinosa, but the old man "was quite deaf to anything in favor of the English," and even urged Benjamin to join them. At Cennigo he found the same feeling; no planting had been done, and all were inclined to move toward the French rather than the English. He was even told he could not return to Fort Allen without being intercepted or murdered. Every day new and bad stories were told of the English, the source of complaint being that they had allowed the Cherokees and other southern Indians to come so far north. On his way home he met Teedyuscung, who was amazed at Benjamin's reports; said he would be on the lookout, and that he would go again to the Five Nations and search for the evil that possessed them, the Maquas and Mohocks especially seeming to favor the French.

Soon after this a message was sent to Teedyuscung, now settled at Wyoming, asking him to endeavor to control all the Indians in that vicinity; also to inquire of the Indians at Diahoga what had become of the messenger sent with belts to the Indian country, especially the one sent to the Senecas inviting them to further council. Christian Frederic Post carried these messages, with instructions to go on and confer with the Senecas himself. But this Teedyuscung urged him not to do, as there were parties of Indians, possibly hostile, scattered all through the woods. It was reported to Post that Diahoga and Owege were completely deserted, and he finally concluded to return, Teedyuscung sending word that another treaty must be held in the summer, and that there were with him some Alleghany Indians who had come intending to visit the Governor, but they were suspicious and afraid because of the many idle reports afloat; also they complained that they had never had a satisfactory account of the last treaty at Easton.

Soon after his return it was decided to send Post on a mission to the western Indians. Teedyuscung predicted that he would never return alive, but that did not deter Post. He carried copies of the Easton treaty, belts of wampum and messages from the Governor. He had, of course, a very perilous journey; his own account is found in the Pennsylvania Archives, Vol. III, 1756-1760. Just previous to his start Teedyuscung, with fifty Indians, once more came to confer with the Governor, bringing with him the much delayed messengers from the north. The story of the Easton treaty and the previous

council at Diahoga was told for the benefit of those who had not been present, and arrangements were made for another great council at Easton soon. Even at this late day it appears that the great king *was not well known to the Six Nations*, Sir William Johnson writing he could learn little about him, and he suspected "he was *not* the consequential person he pretended to be in Indian proceedings, and that he was either a tool or a vain, forward fellow." Johnson even suggested he might still be the instigator of the frontier murders. So much doubt prevailed that it was arranged that all Indians friendly to the English should wear a broad yellow band on the head or arms.

Shortly after Post's departure the king's son returned from the west reporting that all the Delawares agreed to peace, but that the Shawanese and other nations would continue the war, being much prejudiced by the French.

About the same time that Post was sent out (1758 and '59) Moses Titamy and Isaac Hill were sent on a similar peace mission to the Minisinks. They returned the first of August, and their journal is of great interest, especially as they traveled by the Susquehanna. On arriving at Diahoga they report:

"All the houses in this town are in ruins, no Indians live there, the road bad. From there we went to the house of Ehlamet, son-in-law of French Margaret."

They were told that all the way the Susquehanna, quite to the head, was thickly settled, chiefly with Delawares. All the Indians whom they visited agreed to attend the great treaty. On their return they met a war party at Diahoga, but were not molested. It was evident that the French influenced the Indians by telling the most preposterous lies. The war party at Diahoga was reported by Teedyuscung as made up of Mohawks with a French captain; all but ten were persuaded by the Indians near Diahoga to turn back.

During Post's absence Governor Denny had various preliminary councils with Indian delegates. Post returned in September. After various vicissitudes he had held a council near Fort Duquesne, where the French used every effort to persuade the Indians to decoy him into the fort. Post very soon found that the western Indians had no use for Teedyuscung, declined to hear his agreements read, repudiated the late treaty because it was his, and wished to hear only from the Governor. "I must confess the difficulties I met with this day made me sweat," he says. His companion also was a great trial, proving a veritable turn-coat, and thwarting Post in everything. Even the Indians discovered he was a very false fellow. However, he succeeded under the very cannon of the fort in thwarting the plans of the French and persuading the Indians to attend at Easton. On his safe return he wrote:

"Praise and Glory be to the Lamb that was slain, that brought me through the Country of Dreadfull Jealousy and Mistrust."

By the last of September, 1758, the Indians began once more to assemble at Easton. Croghan reported great drunkenness, adding that he believed Teedyuscung was kept drunk to serve some purpose, and

complaining of the commissary being permitted to give out so much liquor.

October 7th the great treaty began with about 500 Indians, as three old land disputes were to be settled, *i. e.*, the Iroquois sale of 1754, the "Walking Purchase," and the claims of the Minisinks in New Jersey. And there were also many magistrates, freeholders and citizens of the Province and from Philadelphia, with Conrad Weiser as interpreter. During the council the Mohock chief, Niclas, attacked Teedyuscung, saying, "Who made Teedyuscung the chief of the nations?" This sentiment was repeated by a representative of each of the Six Nations, all disowning his authority over them, and wishing to know whence he derived it. Weiser refused to interpret these attacks except in private conference. The Governor attempted to smooth over these insults by saying that he really only knew Teedyuscung to be chief of the Delawares, and that the chief had always called the Six Nations his Uncles, and so the storm was averted.

Eghohowin (the chief of the Monseys settled at old Sheshequin) was present and was blamed because he was holding English prisoners. Various reasons were given for having turned against the English; Teedyuscung wisely had little to say, and after nineteen days' conference they confirmed their ancient union, and agreed to a firm peace in which they would engage all other nations to join. Quantities of presents were then distributed as usual, the only complaint made being that they were given no ammunition, and that they desired wagons to carry the old and infirm to Wioming. "*Some Wine and Punch was then ordered in, and the Conference concluded with great Joy and mutual Satisfaction.*" Many of the chiefs went home in the regalia of the white men, ruffled shirts, laced hats and regimental coats.

In less than a month the French evacuated Fort Duquesne, which terminated the struggle between the French and English in the Ohio Valley, and in 1759 Ticonderoga, Crown Point, Niagara and Quebec were won for England. Early in this year it was recommended by Stanwix to send Post on another mission to the Indians of Wyoming and the Susquehanna. After the council at Easton he had been dispatched to Pittsburg to deliver peace belts to the western Indians, an errand which he had successfully accomplished. In 1758-'59 several conferences were held at Pittsburg to conclude matters with the western Indians. Both the Alleghanies and the Delawares had asked that he might be sent to preach to them. Post, expressing the same desire, the Governor issued to him a passport which should allow him to travel back and forth unmolested.

Diahoga, this year (1759), lay deserted still, but late in the year Teedyuscung reported at Philadelphia that he had attended a great meeting of Indians at Assinising, on the Cayuga Branch; that deputies from many nations were present, all disposed for peace except the Minisinks, whom he recommended to the Governor. The chief also related that he had traveled much during the summer and told of the treaty of peace to eleven nations. In responding, the Governor spoke of a great council to be held in Ohio and insisted on his attendance,

offering to send Frederick Post with him. Soon after this there were some murders once more committed. Teedyuscung was at once summoned by the Governor and came bearing many belts and strings from the Indians on the upper Susquehanna.

Arrangements were now made for the mission to Ohio, Post being very carefully instructed, especially as to the return of all English prisoners. Post started from Bethlehem May 8, 1760. It was arranged that the party should go up the Susquehanna first. Having joined Teedyuscung at Wyoming they soon arrived at Quilhaloosing (Wyalusing), where Post preached by request. A few days later they arrived at Diahoga; evidently it was once more inhabited, as Post's companion, John Hays, says that here "Teedyuscung had a conference with the chiefs and sent messages to the chiefs at Assinsan,³⁴ whither they went the following day; the next day they sent to the Mingoes at Pachsahunk³⁵ to call to council.

"This day the Indians began to Sacrifice to their God, and spent the day in a very odd manner, howling and dancing, raveling like wolves and painted frightful as Devils."—Hays.

The messages from the Mingoes were not reassuring, being that if the party advanced further they would roast them in the fire. While waiting for more pleasant messages Hays says:

"We were diverted with a strange story of the Indians at Diahogo seeing a vision in the moon, viz, that they saw 2 horses in the moon, one came from the East, the other from the West, and they fought a battle, and the easterly horse prevailed and threw the other Down and fell a top of him, and then men appeared about one foot long from the East and drove all before them; the Indians were very much grieved at this strange sight and wanted to know our opinion, we thought best to say nothing."

After many days parley by messenger the Mingoes (Senecas) refused, for various reasons, to let the *white* men pass through their country, although they agreed to allow Teedyuscung and his Indians to go.³⁶ It is worthy of note that on this journey the chief steadfastly refused to drink rum.

Mr. Hays speaks of "all the little towns above Diahoga," showing how thickly settled the country was. On their return they staid over night at Diahoga, but give no information as to its inhabitants. Several persons were delivered up to Post, although on this one point the Indians seem to have been very obstinate in spite of the treaty, the Mingoes telling Post that they desired that none of the nations on the "Sisquhanna" should give their prisoners, it was their orders (the Iroquois) they should keep them. It may be noted here that white prisoners were generally given to their individual captors, *and were not considered the property of the tribe or nation.*

³⁴ Beauchamp thinks this was at Big Flats. Ettwein says it was a Monsey town at the confluence of Tioga and Conhocton, now in Steuben County.

³⁵ Supposed to be at Colonel Bill's Creek at this time. Zeisberger says it was the "last on the Tiaogee." Below Teaoga, at earlier date; there may have been two towns.

³⁶ Concerning their refusal they thus expressed themselves later (at the same time manifesting a desire for his return): "That is a road which the Minguis never suffer any white man to travel, and if he has any business at ye Allegheny he must go in the Great King's road opened there." Evidently they were willing and even anxious that he should go to the Ohio, if he went by the direct road.

Friendly visits from various Indians of the upper Susquehanna were made to the Governor all through the year 1760; some prisoners were returned, also a number of stolen horses. No party seems to have been direct from Diahoga, although from nearby towns. Several satisfactory councils were held at Pittsburg with the western Indians, and Teedyuscung brought from Ohio, as he expressed it, "a deal of Good News." At the same time he expressed not only dissatisfaction but indignation at the settlement of the Connecticut people at Wyoming, saying, "If the Governor *can't* the Indians *will* put a stop to it."³⁷

At a conference some months later the Governor informed the chief that the Connecticut settlers claimed to have deeds from Jersey Indians, which Teedyuscung claimed must be a pretense. Early in 1761 Governor Hamilton wrote to Sir William Johnson concerning the chief's unwillingness to hold a treaty or council with Johnson.³⁸ He also says, "We are like to have fresh trouble, and I am afraid renewal of Indian war *from a most wicked revival of the Connecticut claims.*" Teedyuscung insisted that the government of Connecticut should be desired to recall the settlers, and a letter was written to the Governor of Connecticut concerning what Hamilton called "*a flagrant piece of injustice offered to the Indians*" (disregarding the deed obtained by the Susquehanna Company from the Indians). This was, however, soon brought into discussion, and Teedyuscung was advised to urge the settlers peaceably to desist from further encroachments until the matter could be settled by lawful authority.

Messengers from various nations were now continually visiting Philadelphia to inquire when the great council fire was again to be lighted, but there seems to be no mention of Diahoga. In August, 1761, the council once more began at Easton, about four hundred Indians being present. At this council the Indians begged that the Governor would take pity on them and erect a trading house at Diahoga, that we may be able to buy our goods cheaper, at the same time complaining that General Johnson's prices were dear.

Here was an effort to make Diahoga once more prominent, and, as usual with the Delawares, to avoid intercourse with Johnson. To this request the Governor replied that he could not set up another store-house at so great a distance as Diahoga, as it was expensive and difficult to maintain those already built, and that they could supply themselves from the one at Shamokin. Doubtless it was this request which led to the establishment of a private trading post at Sheshequin. See Chapter VIII.

At this council Teedyuscung addressed his Uncles, the Six Nations, with some warmth as to his settlement at Wyomink by their commands, which was now to be taken from him. The Governor was asked to make some satisfaction to the Delawares for their lands; in-

³⁷ Reflection on this would lead one to find a cause not often assigned for the later horrible events at Wyoming. Far better to think it was the *Indians'* claim rather than that of Pennsylvania that was at the bottom of the trouble in 1778.

³⁸ Feb. 12, 1761, a Pennsylvanian writes to Sir William Johnson: "The Connecticut people are making their grand push both in England for a new grant from the King, and in this province for a forceable entry and detainer of Indian lands on no other pretence than that their charter extends to the South Seas, and so like mad men they will cross New York and New Jersey, and come and Kindle an Indian War in the Bowels of this poor Province."

deed, all the Indians present combined to ask that the lands should be deeded to two reliable Indians *for the Delawares*. It is notable that at this treaty the Indians *north* of Wyalusing would not agree to peace, that is, the unfriendly Monseys at or near Diahoga, and the Senecas.

As the Ohio Indians did not attend the above council another was held especially for them at Lancaster in August, 1762. This was very largely attended, although much difficulty was experienced for lack of a good interpreter, Conrad Weiser, the faithful, having died suddenly in the previous summer. While this was a very important treaty there is little concerning Diahoga, except the statements of the Oneida chief, Thomas King, that the sale of lands to the Susquehanna Company was a fraudulent one—"not sold by our consent in publick council, but it was as it were stolen from us," although he acknowledged that it was very well known that the land was sold by the Six Nations for \$2,000. He also spoke of the fire kindled by himself at Diahoga and other places, *still kept burning*. At this treaty Teedyuscung retracted his charge of forgery and fraud made against the Proprietaries at a council six years previous. As usual, bitter feeling was shown between him and the Six Nations, they claiming that it had been currently reported that he would poison all who attended the treaty.

It was but a few months later, in April, 1763, that Teedyuscung's hut, with twenty others, was set on fire at Wyoming, and he, being in a drunken sleep, was burned to death. It seems to be an unsettled question whether this was done by some of the Six Nations, or, as *they* suggested, by some Connecticut settlers.

After the general treaty at Lancaster peace seemed about to descend on Pennsylvania and, indeed, on all the colonies, the French having been vanquished. But in 1763 there came to a climax that most remarkable scheme called the "Conspiracy of Pontiac." Parkman, the able historian, has so well told this story that it needs here to be said only that Pontiac was an Ottawa chief whose sympathies had always been with the French, and who resented the growing supremacy of the English, as well as the advance of civilization. Therefore, he planned with other western Indians to attack simultaneously all the frontier forts. While that special plan failed, the country surrounding Detroit was involved again in a bloody war, in which, however, the Indians of the North Branch of the Susquehanna seem to have taken little part; although along the western frontier of Pennsylvania "terror reigned supreme;" and in October, 1763, according to Parkman, occurred a most horrible attack and massacre of the Connecticut people at Wyoming, said to have been conducted by Captain Bull, a son of Teedyuscung, possibly in revenge for his father's death. This was called the First Wyoming Massacre.

The attacks in Pennsylvania were known to proceed from a debauched rabble of Indians living on the West Branch of the Susquehanna. It was during this year also that occurred the massacre of the Conestoga Indians by the exasperated whites. This small band was supposed by early historians to be the remnant of the formidable Andastes, but that hardly seems to have been corroborated. At any rate

they were now completely annihilated. The struggle with the Indians continued two or three years, although the western tribes were somewhat intimidated in 1764 by the successful campaign of Colonel Bouquet. During these troublous times the Moravian Brethren continued their journeys up and down the valley. They had a real mission settlement at Wyalusing and at Sheshequin (now Ulster).

When application was made to establish the Wyalusing mission, Togahaju, the Cayuga sachem, who controlled the Indians in this vicinity, objected, saying that the valley was stained with blood (presumably alluding to the terrific battle at Gohontoto). After some time, as he still objected, Zeisberger determined to apply in person. In his journal is this record, May 25, 1766, "Passed Tioga where at present no one resides." The chief proved very friendly, and thus responded to their request:

"Up to this time you have only *sojourned* at Wihilusing, Now I take you and set you down there finally, And we give you all the land from Wihilusing up to a short distance above *Tioga*, which is two fully days' journey by land. There you can build, plant, fish and use as you like. It is yours."—"Life of Zeisberger," p. 315.

He also said it was for the Christian Indians only. This grant being disputed by a jealous Indian, in October of the same year, Zeisberger resolved to apply to the great council at Onondaga. Here he was well received and the grant of Togahagu was not only confirmed, but he was told that the jealous chief, Newalike, a *Delaware*, had no authority, while Togahagu was their accredited deputy. On this trip he merely mentions passing Teauga. In 1767, on another mission, this record is given:

"Oct. 1 came to Schechschiquunk where we met Achohund the chief of the town"⁹⁹—Passed Diahoga, and in the afternoon reached some huts of the Tuteloes, and in the evening reached *Wilawane*, quite a new town of Monsey Indians who moved here from Cayuga Lake last spring."

In this same year, in the *Wyalusing Diary*, edited by Dr. J. W. Jordan, it is recorded that "a string of wampum was sent by the Indians of Tioga for corn. It was accepted at a valuation of two bushels." This shows that once more Indians were living at Tioga. Indeed, when the town was last found deserted, it may have been all were off hunting, as Cammerhoff reports "hunting camps" of the Tioga Delawares down the river; or they may have all gone *up the river*, as heretofore, to plant corn.

Early in January, 1768, the whole valley of the Susquehanna, indeed, much of the Province, was in an uproar on account of the "barbarous and unprovoked murder" of several Indians, men, women and children, *by a white man*. This was turning the tables, indeed. This deed was committed at Middle Creek, on the west bank of the Susquehanna, by a Dutchman, Frederick Stump, without provocation, other than that the Indians were drunk and disorderly, and he was afraid they might do mischief. These Indians seem to have been in a temporary hunting camp, being from different localities. A few days later some poor Indians from "Wighaloosing" having arrived in Philadelphia to ask for relief; the Governor wisely seized the opportunity

to send messages, and the usual belts of wampum by one of their number to the relatives and friends, whose residence is told in the following message,³⁹ addressed to the Indians at "Wighaloosen":

"Brethren, We desire that this Belt of Wampum may be sent forward by Zaccheus, or any other Indian that shall chuse, to the Indians living up the Susquehanna, and particularly to those who live at the North West Branch, which runs into the Susquehanna at Diahogo or Tohicken, because we are informed that the White Mingo, and some of the others came from some Town on that Branch."

The message was to assure the friends that justice would be done and compensation made. White Mingo was a Seneca Indian who had lived at Diahoga. Stump was arrested and imprisoned, but, as had been previously shown by the murder of the Conestogas, the white man had in that locality more friends than the Indians. In spite of his most atrocious deed, equal to any Indian's, he was rescued from jail by a party of masked men in true lynch law fashion, and escaped unhung.

Many people thought the Governor very remiss in not following up this matter, and, of course, there was increasing discontent among the Indians. The Assembly addressed the Governor in a formal letter of scathing inquiry, which he resented as "unkind and indecent;" but as the murder of the Conestogas five years earlier had gone unpunished, the Assembly's query seems justifiable. Soon after an act was passed allotting £3,000 "*toward removing the present discontent of the Indians.*" At least one of the relatives of the Indians, a chief, Shawana Ben, soon sent a very friendly message saying that he blamed none of the English, but Stump. Conferences were held both by Sir William Johnson, at Johnson Hall, March 3, 1768, and by Commissioners at Fort Pitt, at which great efforts were made to mollify all the Indians who had entered into the last treaty. At Johnson Hall the Indians took occasion to complain of many abuses heaped on them by the whites, a most characteristic criticism being that saying:

"The Rum Bottles are hung at every door to steal our land, and instead of protecting us, as we thought they would do, the English employ their superior cunning to wrong us."⁴⁰

Peace was temporarily restored and presents freely distributed at the close of this council.

In August of this year Sir William Johnson called a Congress of the Six Nations at Fort Stanwix, which convened in September. This was attended by Governor Penn and representatives, and here was consummated what is known as the new purchase to the Proprietaries, including "all that part not heretofore purchased, beginning at 'Owege,' down the east side of the river to Tawandee Creek," etc.⁴¹

While, as has already been shown, the Indians residing in the bounds of this purchase were deeply incensed, peace prevailed over the Province for a number of years, though an occasional murder of an Indian roused a temporary disturbance; however the Indians complained that the terms of the Fort Stanwix treaty were not observed

³⁹ See "Colonial Records," Vol. IX, p. 437.

⁴⁰ See "Colonial Records," Vol. IX, p. 499.

⁴¹ See "Colonial Records," Vol. IX, p. 554.

by the English, and they had to be met, consoled and presents given as heretofore to keep the peace,⁴² the Indians often showing surprising nobility of character on these occasions.

In 1770 the Governor received in conference several Monsey Indians from this locality, as shown in the address of their chief, *Meethan*: "*Brothers, we have come from Wilaxaning, or the Big Horn, where we keep a great fire.*" They went on at length to explain the need of further conference; announced themselves as sent by the Six Nations to request a big conference "in the spring, as soon as the bark peels." They also asked to have "a storekeeper and a gunsmith to live among us at our town, the Big Horn." In responding, the Governor referred them to Johnson as to a treaty; but promised to "encourage some of my people to come and build a Store House among you, and to endeavor to get a Smith to go with him." Great complaint was made by all the Indians of this period as to the cargoes of rum sent among them, realizing its demoralizing power, and that the white men deliberately tempted them, a pitiful fact! In 1772 the *Wyalusing Diary* has the following record:

"Feb 8 Joe Peepe⁴³ who went to Shamunk returned with three belts of wampum, one of seven, one of eight, one of thirteen rows, and these messages: I We the Six Nations regret the late war, and we take the hatchet out of your hands. II Henceforth there shall be everlasting peace between us and the Munsties and Delawares. III Uncles in Shamunk, Hollebank, Wyalusing and Sheshequin, we give you the land at Tioga, to be yours. Live on it, and when tired sell it, it is yours. Send us an answer soon."

Parkman reports Nanticokes, Conoys, Mohicans and some Delawares as living high up on the Susquehanna previous to the Revolution. Doubtless, some of each composed the shifting population of Teaga. Of course, there were always some Cayugas, Senecas and Oneidas, Monseys, Tuteloes, and probably others.

The last Indian war in Pennsylvania prior to the Revolution was in the extreme southwest in 1774, consequently did not affect this region. It was often called Cresap's war on account of the murder of all the family of the Indian chief Logan (son of Shikellimy), alleged to have been committed by one Colonel Cresap. Virginia was chiefly concerned in this war, but it was believed it would become general, and messengers were kept flying between the Governors of the States concerned; also to the chiefs of the Delawares and Shawanese, as well as the Six Nations. However, the danger was averted, the war being declared over in December, 1774. It was reported to England that on account of this war the Indians settled in the Province had generally withdrawn over the western or northern border. However, it may have been with Diahoga proper, Queen Esther's Town was established at this period.

⁴² See "Colonial Records," Vol. IX. —

⁴³ Joe Peepe lived at Sheshequin.

CHAPTER VI

OLD SHESHEQUIN

The Two Towns—The Moravian Mission—Queen Esther and Her Town

There have been many misunderstandings about Sheshequin or the Sheshequins down to the present day: because the present town is across the river from where the original town or towns were. And some careless writers have thought Sheshequin the same as Queen Esther's town. It is hoped that this narrative will make the whole matter clear, very much time and labor having been expended on all the matter here found. The original Indian town of Old Sheshequin was located in Ulster, the present one being really New Sheshequin.

At the close of the Pontiac War Eghohowin (Chief or King of the Minsis or Wolf clan of the Delawares) and his clan planted a town near the mouth of what is now Cash Creek in the present village of Ulster. It is quite possible this settlement was made earlier, "previous to this Eghohowin is said to have had a town farther up the Cayuga Branch, often mentioned in the Archives." We assume this to have been Wilawana. The late Mrs. Jennie F. Snell, in her historical sketches of some years since, makes two statements which are here given, although her source of information as to the first is unknown:

"It is said the Monseys (same as Minsis) or Wolf tribe had occupied this ground (Queen Esther's Flat) years previous, and that they called their town Wilawana (or Monseytown), from which they removed to Venango."

Doubtless Mrs. Snell was in error *as to location*. Here it is worthy of note that the former generation always gave the name of "Queen Esther's Glen" to a gorge or ravine in the mountains near the present Wilawana. The other statement is:

"There is in the Gore¹ family an *Indian deed* from Nicholas Tatemy, it embraces 180 acres called 'Tudelamohong,' situated on East branch of Susquehanna river, opposite an indian settlement called Sheshequenung, in Northumberland Co, Pa."

It will thus be seen that New Sheshequin may have been inhabited at one time by the Tuteloes.² Eghohowin's town was called originally Schechschequanink or Calabash town,³ the word meaning the gourd used for rattles. Eghohowin seems to have been a man of little importance, seldom mentioned: his name is also given Echobund, Achecobund, Eghobund, Echgohund and Echogohund. In another statement Craft says:

"Sheshequinink was an old Indian village, abandoned during the Pontiac war, but afterwards resettled by two distinct bands of Indians: Echobund with quite a number of Delawares, *above* the creek, and another band of Christian Delawares *below* the creek, under Wehololahund."

¹ One of the pioneer families of New Sheshequin.

² See Chapter V.

³ Ettwein said it meant a sieve or rattle.

A conflicting statement (but one now generally credited) made by Craft, and also by Clark, was that the Christian Indians were on the north side of the creek. Probably the history of their settlements can best be told by giving the annals of the Moravian Mission as set forth in the various journals and diaries of these devoted men.

Heckewelder says that Echogohowin was deeply interested in the Moravian Mission at Wyalusing and interceded with the Six Nations in its behalf:

According to his own diaries Zeisberger visited Sheshequin June 27, 1763, and says:

"About 13 or 14 families live here consisting almost entirely of a circle of relations. With these families Andrew (Montour) and Nathaniel are connected."

Zeisberger preached twice to them, and tells of "an old chief" preaching. Zeisberger's journal of 1766 says:

"Oct. 18 came to Sheshequin, this town has increased very considerably during the past summer, this is a very promising town."

He locates it as ten miles from Diahoga.

Zeisberger tarried at Sheshequin over night May 4, 1766, and, by request, preached to quite an assemblage. From this time interest in the gospel increased, and parties often went to Wyalusing to listen to the Word of God. In May, 1767, Jo Peepe (alias Wehoholahund) came with his family to live at Sheshequin. He was of unusual intelligence and urged the Moravians to establish a mission there. In February, 1768, the Moravian brethren were formally invited to visit Sheshequin and consider the matter. In May, Ettwein, Zeisberger and Sensemann came. Ettwein says:

"Sheshequin is a town of 12 cabins. The meadows and good land run up one side of the Susquehanna to near Tioga. From here there leads a path to the West Branch."—

This plainly shows the town was north of Cash Creek.

Echogohowin was away, but Jo Peepe entertained them. They held religious services for two days; after the morning discourse on May 12, Jo Peepe and several others counselled together, and thus addressed the missionaries:

"Our four families desire to have the Word of God preached to us. We often go to Wyalusing, but can not always go. We would like to settle there but we have much cattle and large families. In Wyalusing there is not much pasture—here there is plenty of good land and meadows. Hence we desire to have brethren come here and settle and preach to us."

Zeisberger asked if the other Indians would not oppose and disturb them, to which they made answer, "The four or five huts over the river yonder have done lately just such things, but the chief, who is of our mind, has forbidden them." August 18, 1768, Achohund and wife visited Wyalusing Mission, doubtless to press the matter. Loskiel says:

"The Moravians entertained this request favorably and urged upon the people the necessity of getting permission for establishment of the mission from the Great Council at Onondaga through the Cayuga chief. * * * Sd. permission was obtained without difficulty and the chief declared he would come to

Sheshequin to hear the Word of God, being convinced that it pointed out the only way to eternal happiness. Roth came in 1769 & kept 2 discourses daily. In March a couple of native assistants from Friedenshutten (Wyalusing) moved up to help him, for this mission was regarded as a dependency on Wyalusing, and, until Roth was ordained the people repaired to Wyalusing for the sacrament."

John Roth, a Prussian by birth, was appointed, and arrived February 4, 1769. Extracts from his diary are here appended from February, 1769, to May 3, 1772. February 8, Roth writes to the Moravian bishop Nathaniel Seidel:

"I am living here at present in a trader's house in which a quantity of merchandize belonging to Mr. Andersen is stored. This is in charge of an Irish servant. I am to live with him until the Indians have built a house for me, some of the Indians here were baptized by the Presbyterians (probably the Brainerds) in 1749."

A Moravian diary in the Craft collection, *not labelled*, but evidently written at Wyalusing, gives further information concerning Mr. Anderson:

"Feb 2, 1769 James and Sam Davis and an Irishman came to Wyalusing (from Sheshequin) & were delighted to hear of Roth's mission stating a hut was ready for him.

"May 10 Mr Anderson and 2 surveyors came up from Wyoming to survey lands at M'escha'schung, Tawandunung and above Sheshequin & at Tuscororas—M'escha'schung is 7 miles above us.

"May 15 There came from the Jerseys Isaac Still with his wife purposing to move up to Sheshequin to occupy a tract of 200 acres given him by good Mr Anderson."⁴

(Here reports the coming of Stewart, the surveyor, and Indian opposition.) June 12, Capt. Ogden and Mr. Anderson passed down the river in canoes with merchandize from Zeninge (Chenango)."

Additional information from an unknown source is here given:

"Some idea of the trials of the Indians in this locality may be gleaned from the fact that their masters the Iroquois, discovering the whites considered their lands valuable, disposed of coveted tracts as often as a purchaser appeared. In 1754 a part of them sold the Susquehanna valley to the Susquehanna Company, another part of them having already sold the same to Penn. In 1766 they gave the Christian Indians all the land from Wihilusing to above Tioga, and in 1768 they sold the same tract to the Proprietaries of Pennsylvania."

The Indians applied to John Penn, then governor of Pennsylvania, for indemnity or protection in 1769. The petition from Sheshequin reads as follows:

"Samuel Davis (Anderson's clerk) and his friends the Indians that live at a place called Tshetshequanink, on the west side of the Susquehanna—humbly sheweth—That their settlement of the name aforesaid is out of the new purchase, but on the line thereof; and that they have made some cornfields on the east side of Susquehanna (New Sheshequin) within the said purchase; and further that there is on the same side a tract of about half a mile in breadth, and five miles in length of grassy lowland, reaching from the point of their settlement up near to Diaogu, on which they have hitherto subsisted their cattle, grazing being chief occupation of your petitioners. (This evidently refers to Queen Esther's flats.)

"And your petitioners humbly pray that the said cornfields and grass-land may, by your special warrant be surveyed and reserved; not that they want any

⁴ This shows that Mr. Anderson had large possessions, evidently from the Penns.

property or estate in the same, but the use thereof for the purposes aforesaid, during the pleasure of your Honor the Proprietor."

This petition was a part of the petition of Wyalusing Indians, to the whole of which the Governor replied in the most reassuring manner in June, 1769. Yet, with the usual deception and dishonesty that seems ever to have been the lot of the red man, *only two months* later warrants signed by the Governor were issued for surveys in this very reservation.

Diary of Roth continued:

"Feb 5 Reached Sheshequin and on this day Kept service for the first time for the Indians.

"Feb 10 Some Indians from Wilawamink came to hold the feast of the meat offering with the heathen Indians of the neighborhood.

"Feb 13 Selected site for my dwelling. James Davis donated the white pine logs he had squared for himself, for the building. It will have to serve for a meeting house for a time.

"Feb 16 Brought timber to site of my intended dwelling.

"Feb 18 Two white men came to town (Lukens and Stewart?) to view the land in the neighborhood, from whom I learn that the land above and below Sheshequin for five miles has been reserved for the Indians.

"Feb 21 At night the meat-offering feast began, it being held about half a mile from settlement. There were some 50 of the heathen shouting and screeching like fiends (see Craft's Bradford Co. Hist., p. 25).

"May 12 The surveyor came and measured land here, ordered by Government.

"May 18 James Davis first fruits of mission was baptized.

"Dec 31, 1769 Up to this date I have baptized 4—3 children died, 1 birth. Admitted into church but *not* to the Lord's supper were Jo Peepe and his mother Mary—4 log houses were built this year. To us came 18 souls—left us 3 souls at the close of year mission numbers 50 souls. 14 Baptized 36 Not Baptized.

"1770 July 9, Began to fell trees for building a meeting house as my house is too small. (This no doubt was the first house of worship erected in Athens Township.)

"Dec 31 This year I baptized 2 infants and 1 woman—admitted 2 to the Lord's supper, 2 births, 2 deaths, 6 left the place and 16 came to the place. The mission numbers 58 souls.

"1771 May 26 The Susquehanna began suddenly to rise so rapidly that in 4 hours our town was all under water, and a strong current flowed between the houses. We had to take to our canoes and retired to the wooded heights back of the town.

"July 25 The women went to Tunkhannock to harvest huckleberries. Samuel returned from the bear hunt below Tunkhannock and reported berries so abundant that harvesters picked each a bushel in an hour.

"Aug 19 Some of our people went up to Tioga to cut grass and on the 21 returned with their canoes laden with hay.

"Dec 31, 1771 Statistics of the Mission—Married couples 10—widowers 1—widows 7—Single men 7, single women 3—half grown boys 6—girls 4—children 15—63 souls.

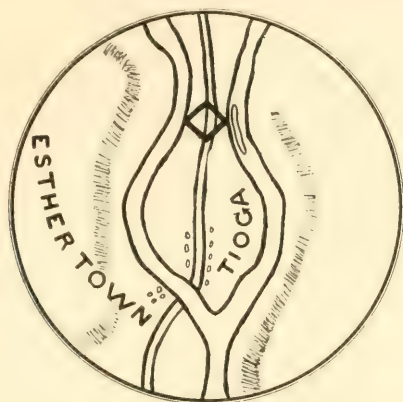
"1772 Nothing of note in this year."

This meagre diary has the following note, appended by Mr. W. Reichel of Bethlehem:

"I find that the above diary has *gaps*, and at best is uninteresting—The meeting house had a *small bell*. The mission was of course much visited by Indians from Tioga and the Towns above the state line—about the same as was Freidenshutten."

Notwithstanding the promises of Penn to reserve land at Wyalusing and Sheshequin, proprietary warrants were granted early in 1769.

Soon came also the Connecticut surveyors. As the white settlers advanced up the river the Moravian missions were exposed to all the irregularities of frontier settlements, creating great uneasiness. It was finally decided, after grave councils⁵ to accept the invitation of Delaware chiefs who lived in the west. The migration took place in June, 1772, led by Roth. As this was the same year that Echegohund died, it is safe to assume that it was at this period that Queen Esther's Town was planted further north, and possibly that not many Indians from Sheshequin joined the migration. Heckewelder's narrative merely speaks of "Roth and his party."



The True Story of Queen Esther and Her Town.

There have always been many conflicting stories and conjectures about this remarkable woman, but it is only in very recent years that the whole Montour family has been carefully studied. Our readers are here given the benefit of the research of Gen. John S. Clark and Oscar J. Harvey, as well as our own.

About 1665, a Frenchman by the name of Montour emigrated to Canada,⁶ took unto himself an Indian wife of the Huron nation, and had three children, Catherine, Margaret and Jean. Catherine was born about 1681 or 1682. She was always called Madame Montour; her first recorded appearance was at a conference at Albany, August 24, 1711, when she acted as interpreter. "When ten years old she was captured by some of the Iroquois, and adopted as a mem-

⁵ Ettwein tells of consulting an old chief as to migrating mission to Cayuga Lake. The Indian said not good place because of *absence of all game*, and they were accustomed to meat. Up branch of Tioga (Conhocton) would be better as game there was plenty.

⁶ The historian Stone says: "The first historical notice of the name of Montour is that a Monsieur Montour was wounded by the Mohawks in the neighborhood of Lake Champlain in 1649. He was undoubtedly an officer in the French service at that time. In a letter of M. de Vaudreil to M. de Pontchartrain, dated Nov. 17, 1709, he commends M. de Joncaire for making his men kill (not three weeks before) one *Montour*, a Frenchman by birth, but entirely devoted to the English, and in their pay." Lord C——— writes to the Board of Trade about the same time as follows: "There is come from Albany one Montour, a son of a French gentleman who came above forty years ago to settle in Canada. He (the elder) had to do with an Indian woman by whom he had a son and two daughters. The man I mention is the son." "It is quite certain," says Stone, "that this is the son of the Montour killed." Beauchamp says: "Joncaire killed the *original* Montour in 1721 by Vaudreil's order."—No authority given.

ber of their tribe."⁷ Mr. Harvey thinks she was not captured, but lived with her father among the Senecas, and that she was adopted by them and considered as a Seneca as long as she lived, and her descendants were known as Senecas. Dr. Egle, in his notes, quotes from the journal of Witham Marshe⁸ as follows: "Mrs Montour," Marshe says, "was at the treaty at Lancaster in 1744; he visited her cabin. She had little remembrance of birth or parents, but said her father was a French Governor of Canada (did *not* say her mother was a squaw), and that she was taken captive when only ten years old by some of the five nations, and was brought up in the same manner as their children. She was sixty years old, a handsome woman, genteel and of polite address. She was in great esteem with the best sort of white people, entertained in Philadelphia homes, and treated with courtesy." As early as 1702 she became the wife of Carandowana, an Oneida chief (who assumed for himself the name of Robert Hunter, a Governor of New York). Prior to 1727 they had settled at Otstonwackin, or French Town, on the west branch of the Susquehanna, where Madame Montour died in 1752. She is said to have been well educated, and to have associated to some extent with people of refinement. She was treated with great consideration by the whites on account of her influence over the Indians. This, no doubt, gave rise to the belief and statement of some writers that she, as well as her daughter and grand-daughter, were "much caressed by the wealthy people of Philadelphia." Madame Montour had four sons, Andrew, Jean, Henry and Lewis; and one daughter, Margaret. Margaret Montour, commonly known as "French Margaret," was probably the oldest child of Madame Montour. She was the wife of Katarioniecha, a Mohawk chief, also called "Peter Quebeck"; known as a man "of good character." They had five children, Nicholas and an unnamed son; and three daughters, Catherine, *Esther* and Mary, commonly called "Molly." Possibly they had other children. Egle says: "French Margaret, prior to 1744, lived with her husband at Alleghany. In 1753 she had a village of her own, at the mouth of the Lycoming Creek, on Scull's map of 1759, called French Margaret's Town."⁹ She frequently attended treaties at various places, acting as interpreter, like her mother. According to Moravian Archives this couple traveled in 1754 in semi-barbaric state with an Irish groom and six relay and pack horses through Bethlehem, en route to New York. Some of the Montours were educated at Elizabeth, N. J." Catherine's husband was Thomas Hutson, or Telenemut, one of the most noted of the Seneca chiefs, who died prior to 1760.

⁷ W. Max Reid and others make this statement.

⁸ Witham Marshe in Journal of Lancaster Treaty of 1744, Mass. Hist. Soc. Coll., Series I, Vol. 7, pub. 1801.

⁹ "Colonial Records, Vol. VII, p. 620. In the deposition of one George Ebert, who was taken captive by the French and Indians in the spring of 1757, he relates that he escaped with some others, "and the next day came to *French Margaret's at Diahogo*; that they stayed about four weeks with her, during all which time she concealed and supported them. That some french indians came in search of them whereupon Margaret told them it was not safe to stay longer and advised them to make their way homeward." This proves that Margaret, who was Queen Esther's mother, must have lived here in 1757, though no further record has been found.

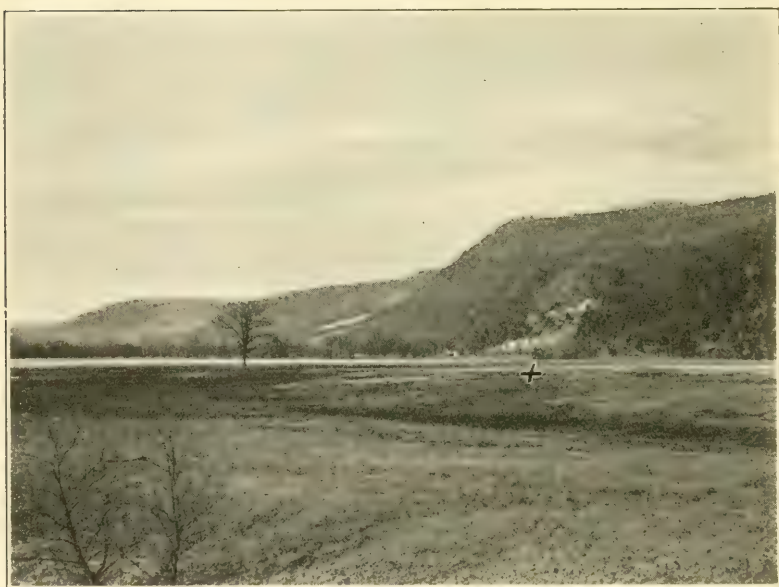
Catherine lived in an Indian village, Catherinestown, located on the high ground a little south of Havana, New York. The town was on both sides of the inlet, about three miles from Seneca Lake, and is mentioned in journals of Sullivan's expedition, also by Robert Sutcliffe in 1805. (Catherine had a son named Amochol, and two daughters. Roland and John Montour were *not* her sons.¹⁰) Catherine was living in 1791 "over the Lake, not far from Niagara," having married an English trader after the death of Telenemut. Mary's husband was also a famous chief, Kanaghragait, or John Cook, sometimes called "White Mingo," who died at Fort Wayne in 1790. We give this account of Esther's family because many writers have confounded *her* with her sisters, mother and grandmother. Esther's husband was Eghohowin, already mentioned. Most of the Montours (for according to the Indian custom they all bore their mother's family name, even after marriage) were much better known than Queen Esther, who did not frequent the great councils. Her mother was called a "living polyglot of the tongues of the West." Esther may have been fully as accomplished, but she seems to have adopted to some extent the ways and feelings of the savages. The Montours, *as a family*, were frequently employed by the whites as interpreters, and often taken to large cities and councils where treaties were to be made with the Indians.

About 1772 Eghohowin died. As he had been called King, his wife was called Queen Esther, and had control of the clan, which was said to be only a handful of warriors, but, as has been seen, with some knowledge of civilized life, doubtless acquired from the Davises and other whites; their chief business was the raising of cattle, of which they had large herds, and their meadows and pasture fields extended up to Tioga. General Clark says it was the Moravian converts who, with Queen Esther, planted the town six miles further north, named for her Queen Esther's Town. This was situated on the river flats or meadows, above Milan, a part of the original farms of Watkins and Page; now Page, Williams and Morley, *directly opposite the meeting of the rivers*. The exact location of Queen Esther's Town is easily decided from descriptions, deeds, relics, and, best of all, by the topography of the country. It was between Redington's and Buck's Creeks, whose courses have changed little, if at all, judging from the descriptive deed given to Erastus Loomis, a settler, in 1785. (See view from Round Top, Chap. I.) It was opposite the point which is indicated in the accompanying plate by a small black cross. There is an old well, always called "Esther's," exactly east of the house built by Thomas R. Page in 1851. The local surveyors for a hundred and twenty years have known the exact location and kept the records, regardless of the fact that considerable reliance has been placed on the journals and maps of Sullivan's expedition. A section of one, used as seal for Tioga Point Historical Society, has already been shown.

¹⁰ Here Harvey differs; does not speak of Amochol, but says she had three children, Roland, John and Bell.



HOUSE BUILT BY THOS. R. PAGE, 1851



SITE OF QUEEN ESTHER'S TOWN, FROM SOUTHWEST

Here Esther had a castle, or palace, thus described by Robert Covenhoven¹¹ (who claims to have destroyed it):

"It was a long, low edifice, constructed with logs set in the ground at intervals of ten feet, with horizontal hewn planks or puncheons neatly fitted into grooves in the posts. It was roofed or thatched and had some sort of a porch or other ornament over the doorway."

Mrs. Perkins, in "Early Times," says: "Queen Esther's village was said to contain about seventy rude houses." Queen Esther is described as a large, heavily built woman, of commanding appearance, walking erect. She had great influence with the Indians, and prior to the Wyoming massacre she treated the whites with uniform kindness and courtesy. She was a prominent figure in the Susquehanna Valley until the time of the Sullivan expedition. In 1790 she was living on the east shore of Cayuga Lake with a band of Tuscarora Indians under Steel Trap (so says Craft). What became of her is not certain, though many localities claim to hold her grave. Thomas Maxwell, in notes for "Schoolcraft," says he inquired of many of Sullivan's soldiers, and several told him that Queen Esther was killed while the army lay at Tioga Point, by a party of Sullivan's troops, in revenge for her atrocities at Wyoming, and that all the old settlers said she was no longer alive when they came, in 1788 or 1790. The following accounts make this seem dubious. He also records that he interviewed Mrs. Matthias Hollenback and her daughter, Mrs. Tuttle, about Brant and Queen Esther. They represented Esther as looked upon universally with horror and detestation. Mrs. Perkins says, "she was represented as quiet and trustful in time of peace, and that after the war closed she often went back and forth from Tioga to Onondaga unprotected. Judge Gore's daughter, Hannah (Mrs. Durkee), lived near Esther's final home on Cayuga Lake. Mrs. Durkee relates that she was well acquainted with her, that Esther once stopped at her house and asked in broken English for a night's shelter for herself and her sister, who was much intoxicated and carrying a papoose. As all they asked was a sleeping place on the kitchen floor, the request was granted. Mrs. Perkins says her last known residence was at Onondaga. Queen Esther had, it is supposed, several children. One son, much beloved, was killed at Exeter, just before the Wyoming massacre. This inflamed all her latent vengeful Indian blood, and, although it was contradicted by some writers, there is no doubt but that she was at Wyoming.¹² All know the horrid story, how the prisoners (fourteen at least) were arranged in a ring, and one after the other tomahawked by the enraged woman. The next day, when the Indians and British came into the fort, Judge Gore's daughter tells that Esther was heard to say she was never so fired in her life as she was yesterday, killing so many darned Yankees. Col. Franklin says that, as the visitors entered the Fort,

¹¹ As to Covenhoven see Meginnis' "Otzinachon," p. 554.

¹² Craft says: "In one of the scouting parties up the river, of which Wm. Dalton, afterwards of Wyalusing was one, a son of Queen Esther was shot. Though mortally wounded, he had strength to raise his rifle, fired and wounded Dalton in the knee. The death of her son inflamed all the Indian blood of the haughty queen."

"Queen Esther, with all the impudence of an infernal being turned to Col. Denison and said: 'Well, Col. Den-i-sen, you make me promise to bring more Indians, here, see (waving her hand) I bring all these.' Col. John Butler, incensed, told her 'that women should be seen not heard.'"

She evidently understood, as later in the day "she was seen riding astride a stolen horse on a stolen side saddle, placed hind end forward, with seven bonnets one upon the other upon her head, with all the clothing she could contrive to get on, and over all a scarlet riding cloak, carrying in her hand a string of scalps from the slaughtered friends of those who were the witnesses of her savage pride, and sufferers from her brutality."¹³

Craft says, "She was a frequent visitor in the family of Mr. Van Valkenberg at Wysox, and all her intercourse with the whites was marked with kindness and courtesy. But her fiendish brutality at Wyoming obliterated every kindly recollection and made her name a synonym for cruelty." Gen. Clark says that Roswell Franklin, who lived near Wysox, was well acquainted with her when living on the Susquehanna. It seems reasonable to believe, from all these eye-witnesses, that Queen Esther was certainly at Wyoming, especially as most of the Indian participants were Senecas, and no real attempt has been made, as in the case of Brant, to prove an alibi. We have found at a late day, among the Smiley papers, in a narrative of David Allen, some additional accounts of Queen Esther at Wyoming.

"A squaw called Queen Esther came over with the warriors, a bloody *spear* in her hand. She made motions, and said 'seven Yankees' blood,' meaning she had with the spear killed that many prisoners in revenge *she said* for the Indian killed up the river, a relative of hers. She now ordered the women in the fortification to prepare dinner for the considerable company that were with her. They were not only forced to prepare it in haste, but the Indians refused to eat a mouthful until the white people had first eaten some of it."

David Allen was an eye-witness; it is reasonable to believe his statement, which was as a whole corroborated by others.

Queen Esther's Town was entirely destroyed by fire by Col. Hartley's soldiers, September 27 or 28, 1778. Covenhoven put the brand to her castle himself: "several canoes were taken and some plunder." We believe some other Indian village preceded this one on Queen Esther's Flats, for in her day the Indians had firearms, and we have been told by members of the Watkins family, present owners of part of Queen Esther's Flats, that many years ago, after the spring floods, innumerable arrow points were plowed up on the plain, indicating a great battle, prior to the use of firearms. Also that particular location is full of Indian graves, as can be attested by the many pieces of pottery and other relics in our Museum. The pottery is much larger and coarser in make than any other found in this valley, and also differs from most varieties hereabouts in being colored, or, more probably, made of brick clay. A true relic of Queen Esther's clan, however, is also in Tioga Point Museum, a very perfect pipe, on the bowl of which is carved a wolf's head, the totem of her clan. This was found on Queen Esther's Flats, the general name for the river flats above Milan, and is shown in a plate with other Indian relics.

¹³ This seems a highly exaggerated story—not well corroborated.

The late Judge Avery of Owego recorded many interesting facts concerning Queen Esther, related to him by Mrs. Whittaker, who was Jane Strobe of Wysox.

By courtesy of the Wisconsin State Historical Society, Mrs. Whittaker's narrative, as written down by Judge Avery, has been copied for our use. There are also various additional facts, related by Judge Avery, in articles published in the *Owego St. Nicholas*. Mrs. Whittaker related that she had often seen Queen Esther at the house of her father, Sebastian Strobe, where she was always a welcome visitor and hospitably received; that she spoke English poorly, yet ordinarily made herself understood. That she boasted that there was another language (doubtless French) with which she was quite as familiar as with the Indian. Just prior to the Wyoming massacre the entire Strobe family were made captives by the Indians and brought to Tioga Point. Here, of course, they again met Queen Esther. Mrs. Whittaker says:

"All of my father's family were well acquainted with Queen Esther of *Shi-shequin* before we were taken prisoners. She treated us well, and showed us the same kind disposition after we were captives that she did before. Her influence with the Indians was unbounded; when she appeared she was treated with the utmost deference. * * She was supposed to be of French and Indian parentage. She was a tall, but not very fleshy woman—not as dark as the usual Indian in complexion—had the features of a white woman—cheek bones not high, hair black, but soft and fine like a white woman, not the heavy black hair of the squaw. Her form erect and commanding, her appearance and manners agreeable. She walked straight and had not the bend of the squaw; she had not the Indian mode of turning toes in. She had a sister Mary—a tall fleshy woman—and there was a squaw named Chemuah, from whom I heard the river (Chemung) was named. She was called a queen and Queen Esther called her sister; I think undoubtedly they were of white blood. Her dress was rich and showy with a profusion of glittering ornaments. She had short skirts reaching a little below the knee, made of imported blue cloth, and stockings to meet the skirt and beautifully worked pantalettes of blue cloth and other material. The skirt was ornamented with brooches of silver,¹⁴ as were the warriors' clothes. All the squaws had small bells on their moccasin strings and pantalettes. They used blankets varying in texture as did the males. Queen Esther wore a necklace of pure white beads from which hung a cross of stone or silver. Mrs. W. thought it was carved from a whitish stone, polished by long use, possibly spar."

This would indicate life in a Catholic colony or Jesuit influence.

Queen Esther was very kind to the Strobes during their captivity at Tioga Point. She not only interposed in behalf of the males, that they might escape running the gauntlet; but at one time she invited Jane, then a girl of twelve, to accompany her to her castle for a visit. Mrs. Strobe objected; but later she and Jane crossed the river and rambled over the premises of the Queen. The plain on which the castle stood, Jane said, was near the mouth of the Chemung, in full view of the point. The main building was long and low, built of hewn logs and planks, neatly done, with a porch over the doorway, and surrounded by a number of other buildings.

Mrs. Whittaker stated that once, when Queen Esther visited Wysox, she was accompanied by a half-breed called Catherine, be-

¹⁴ These brooches passed for a shilling and were as current among the Indians as money. Brant's wife had several tiers of them on her dress of calico or chintz. *Smith & Wells' Journal*; see Halsey's *Old New York Frontier*.

lieved to be her sister. When the captive Stropes were on their way to Niagara they stopped a week or two at Catherine's Town, where she saw this same woman, doubtless the Catherine Montour often confounded with Queen Esther.

There is another pleasant story of Esther, antedating Wyoming. In 1777 John Jenkins and James Sutton made a journey to Queen Esther's Town to obtain the liberation of a prisoner, Mr. Ingersol. They were treated with great respect by the Queen, who entertained them herself, told them she was opposed to war, etc. These visitors said she had correct views of religion and moral obligations, indicating a civilization quite at variance with her later conduct at Wyoming. While in her house, feeling quite at ease, they heard the Indian war whoop outside. The Queen at once went out and talked to the warriors; returning, she told the visitors that the outsiders were determined to waylay and kill them, adding, "I can do nothing with them; lay down until I call you." When all became quiet in the night she called them, told them to go to the river, take her canoe, and hold paddle edgewise, so as not to splash the water, and try to get away before discovered, which they were able to do, in safety.

Craft says he thinks she lived near Tioga after the war, as he saw her name on books kept by Matthias Hollenback after his store was opened in Athens. We have searched in vain for these Hollenback account books, wherein others have also told Queen Esther had accounts. The only one found has accounts as in Pearce's "Annals of Wyoming," *i. e.*, "December 15, 1774, Queen Esther Dr. to sundries £3, 11 pence."

It is very apparent from the various narratives that Queen Esther, or Easter, as she was often called, in her whole life and character showed the half-breed to an unusual extent; first, seemingly influenced by the white blood, and then by the red, presenting a most interesting psychological problem to the thoughtful mind. Her personality, as distinguished from the other Montours, has generally been a matter of conjecture, but recent investigations seem to have unravelled the web of mystery surrounding the whole Montour family. They have not here been considered as a whole because Esther was the only one closely connected with the history of this locality. However, it may not be amiss to here record that the post stained with the juice of the wild strawberry (erected by Cornplanter to mark the burial place of a great chief and brave) was supposed to have memorialized the son of Catherine Montour. The Painted Post has always been well known, and gave its name to a certain portion of the vast Pultney estate in southern New York, first known as a part of the Phelps and Gorham purchase.

CHAPTER VII

EARLY TEMPORARY SETTLEMENTS

The White Settlers in this Vicinity Prior to the Revolution—Tories on the Upper Susquehanna—Tioga Point and Neighborhood During the Revolutionary War—Preparations for the Descent on Wyoming—Flight of the Fugitives—Indian Dances or Festivals

There are few reliable records of pre-Revolutionary settlements along the river, though doubtless there were many now unknown. As to this immediate locality, the journals of the early Moravian missionaries are about the only sources of information absolutely dependable. It has generally been said that Rudolph Fox (or Fuchs) was the first settler in Bradford County. No doubt he and Peter Schufeldt came from the Palatine settlement in the Mohawk Valley, as the surnames are found in the list of Palatine emigrants noted by Dr. Cobb in "Story of the Palatines." Fox and Schufeldt came in 1770, fully fifty years after the first Palatine migration to Pennsylvania; and settled, respectively, at present Towanda and Asylum. While it seems certain that Fox was the first *permanent settler*, Old Sheshequin (present Ulster) can boast the presence of white men at an earlier day, as attested by Heckewelder, Ettwein and Roth. The journal of John Ettwein¹ (who visited the Monsey town at Sheshequin in May, 1768, December, 1768, February, 1769, December, 1770, and in the spring of 1772) mentions at every visit some Irish people living there; first a single Irishman and later a family. These Irishmen were doubtless the clerks or agents of the trading post established at Sheshequin by John Anderson, who appears to be the pioneer Indian trader on the upper Susquehanna. While there are no records known to us that identify the Irishmen, names of residents there are given as Samuel and James Davis, and Isaac Still, the latter "from the Jerseys." As for Anderson, he was the associate of Ogden, the first white settler at Wilkes-Barré. Heckewelder tells of him that:

"He lived near Fort Allen, (near Sunbury) but had established a trading house here (Sheshequin) as early as *May 1765*. For four or five years he made two trips each year to the Indian villages on the Susquehanna, to trade with the natives for peltry. The Ogdens of Wyoming were associated with him; their trading house at Wyoming was destroyed by Connecticut people in 1770. Henceforth no more is heard of Mr. Anderson."

Heckewelder relates that the Indians called John Anderson "the honest *Quaker* trader." It will be remembered that Roth, the first settled missionary recorded living in Mr. Anderson's house, which was "in charge of an Irish servant,"² probably James Davis; and as he was preparing to build himself a house, it may certainly be said that at Ulster was the first settlement by white men in Bradford County.³

¹ See transactions Moravian Historical Society.

² See previous chapter.

³ As to early settlers in this vicinity, the *Wyalusing Diary* says: "Feb. 3, 1766. Three white men from Shamunk came to buy corn." No names given.

The Indian town was at the mouth of Cash's Creek, and doubtless this trading post was located nearby; antedating by *twenty years* the trading post of Matthias Hollenback at Tioga Point, which has always been recorded as the first trading post in this region.

According to Westmoreland Records one John Lord had an improvement on the first flat below Sheshequin as early as 1770 or 1772.

In Susquehanna Company's Records, Volume I (March 27, 1794), is a quit claim of John Lord of Wyoming for one share in Susquehanna Company, which Lord bought of Maj. Jno. Durkee July 7, 1770. "together with my improvement on the first flat *on the east side of the river* below Sheshequin," etc., set seal 17 February, 1772.

This shows that Lord was the next settler and that he made his pitch between 1770 and 1772.—*From Craft's Notes.*

In 1774 a few of the Susquehanna proprietors came up the river and selected townships at various points in Bradford County, the farthest north being old Ulster, the original grant of which⁴ was made that year to Asahel Buck, Lockwood Smith and others. While this survey and allotment were not made because of breaking out of war, family traditions indicate that temporary settlement was made by both Buck and Smith. The same year settlement was made at Standing Stone by Henry Birney, ancestor of some of the Valley people, and Simon Spalding, later settler at New Sheshequin.

Tories.—At the outbreak of the Revolution many of the Indians promised neutrality, but British agents were soon at work among them, the new States were too inactive, the council proposed by the Indians themselves was not held, and very soon most of them decided to continue their allegiance to King George.

Miner says that at this time Tories⁵ were found all along the river, no sympathy existing between them and the Connecticut settlers. Indeed, on Col. Butler's list of 61 names of such families three only were from New England, but from the Mohawk, Kinderhook, Minisink, and West Chester, New York. It is supposed they deliberately settled along the Susquehanna to protect the route from New York to Niagara. That the Indians were also concerned in this is shown by their opposition to the erection of a proposed fort at Wyalusing⁶ for protection of the frontier; saying "*it would block up our new made, wide and smooth road.*" Many of the Connecticut settlers at once withdrew to Wyoming; the Indians were also withdrawn from the valley between Tioga Point and Wyoming, and the Tories removed higher up on the river, doubtless having headquarters at the settlement made at Tioga Point by the four Secords, John; John, Jr., and Cyrus, his sons; and James, son or brother. Probably Jacob Bowman was also a resident there.

When Thomas Dongan came over as Governor of New York, he soon familiarized himself with all the adjacent county. Adventurous

⁴ See Pennsylvania Archives.

⁵ For full account of Tories see Harvey's "History of Wilkes-Barré," and Note Book No. 5 in Craft collection.

⁶ It seems of interest to note here that this was not the *first* fort proposed for Wyalusing.

young men were sent out on journeys of exploration. Dongan resented the amount of territory claimed by Penn, and in his report to the Committee of Trade in 1687 he says he does not believe His Majesty intended to annex so much to Pennsylvania, and after some explanation adds:

"If, therefore, His Majesty were pleased to have a line run from 41d and 40m in Delaware River to the Falls upon the Susquehanna, and to let Mr. Penn keep all below * * * it being conjectured to contain more than all England. * * * To preserve the Beaver & Pelt trade for Albany, and to be an encouragement to our Beaver hunters, I desire I may have order to erect a Campayne Fort upon Delaware River in 41d 40; *another* upon the Susquehanna where his Majesty shall think fit Mr. Penn's bounds shall terminate." * * * "It will be very necessary for us to encourage our young men to goe a Beaver Hunting as the French doe."

With this report Dongan sends a map to show * * * "and where it will bee necessary to erect our Country Forts for the securing of beaver trade." (See Documentary History New York, Volume I.) Halsey says the point for the proposed fort was evidently Wyalusing. He also says that from 1680 to 1690 Dongan showed great activity in sending out Indian traders, his design being to thwart Penn. In 1686 he requested the Indians to see "that neither French or English go and live at the Susquehanna, nor hunt nor trade amongst the brethren without my pass or seal."

John Secord is said by Miner to have first settled on the west side of the Susquehanna, above the narrows, nearly opposite Tunkhannock. It is evident from his son's letters (appended) that he was a Pennsylvania claimant living on Monockonock Island previous to 1771. (Of his early history, however, nothing is known.⁷ Col. Jenkins says in his journal that the Secords were among the families appointed on the committee of inspection or safety⁸ (August 8, 1775) to watch and note the conduct of the settlers as regarded their conduct toward the British cause, "but he afterwards became lukewarm in the American side of the conflict, and was said to have become an active enemy, or Tory." He was very soon suspected of acting as a spy, harboring suspicious persons, etc. Several British prisoners, who escaped from Connecticut to the Susquehanna Valley, were supposed to have been assisted by the Secords in their flight to Niagara. The Wyoming committee of inspection at once caused his arrest, but he boldly petitioned Congress, complaining of the outrage, and was soon liberated; and then arrayed himself at once on the side of the British, removing to Tioga Point about 1777. Mr. Harvey has kindly furnished from his "History of Wilkes-Barré" (unpublished) some information about one James Secord and his son Solomon; we have found no connection, though they must have all been of the same family, as all were living at Niagara later. From the name it appears James may have been a son. There are still in existence some very interesting letters written to Matthias Hollenback in 1817-18-25 by John Secord, Jr. From these it

⁷ Miner mentions Secords among the Tory families on the Susquehanna, from the Mohawk, Kinderhook, Minisink and West Chester, N. Y.

⁸ This committee was appointed at this time in every town by the recommendation of Congress.

may be inferred that the Secords formed part of a Colony of Tories at Niagara, in which lived also the Bowmans, Pawlings, Forsyths and others. After many vicissitudes, due to the war of 1812, in 1825 they were "progressing towards improvement and wealth." John gave considerable family history; mentioned the death of John Secord, Sr., in 1804, and Stephen in 1805. At this date he had been encouraged to follow up his father's Pennsylvania claim. As to *where* the Secord's location was, we here insert some affidavits, *incontestable*:

"June 29, 1785, before Wm. Maclay Esq, one of the Justices of the court of Common Pleas for Northumberland county, came Jacob Bowman of Tioga, and James Whitney of Wyoming, labourers and made affidavit that they respectively knew of John Secord's dwelling at Tyoga Point, *nearly where Matthias Hollenback has a dwelling & improvements, before the year 1780*, & that the said Secord had a suitable house, barns, etc. Bowman says improved land to the value of seven or eight acres."

These records locate Secord's pitch from river to river on the land now occupied by Cornelius Hunsiker and M. B. Stiles, also part of Mrs. E. H. Perkins' property (1907). Matthias Hollenback said that Secord dug the well still in use in Hunsiker grounds and planted the apple trees which have only recently gone to decay. Another affidavit of the same date was as follows:

"Philadelphia County. Personally appeared before me Plunket Fleeson, one of the Justices of the aforesd. County, Rudolph Fox of the county of Northumberland, being of full age, who being duly sworn according to law, Deposeth and saith, That this Depont. was at Tioga in the year 1778, where he saw John Secord settled with his Family at the point of Tioga in a Cappen Build by the sd. Secord, & that the sd. Secord had a considerable stock of Cattle and horses. This Depont. further saith that he and the said Secord, and all the settlers in that settlement had positive warning from the Indians for them to remove up Emedately into their Lines or Settlements, and in case of Neglect or Disobedience of this order they might Depent upon a Totall Distruction. That the sd. Secord with the rest of the settlers was removed in consequence of these orders. —And this Depont. further saith that he never new sd. Secord to take up arms for, or against the Country; and further this Depont. saith not."

"Sworn 31st day of October 1785 before Plunt. Fleeson."

"RUDOLPH FOX."

There are other records showing the Secords lived at Tioga Point at least two years; one is an account of an Indian and Tory raid to Wyalusing in 1778, in which Secord and his son James joined. There is considerable information in the narrative of Mrs. Jane Whittaker, already mentioned. She relates that she and her family were taken captive by Indians May 20, 1778, and brought at once up the river to Tioga Point, where they were kept for many months; that Secord was then acting as commissary for the garrison of British and Indians there (just previous to the Wyoming massacre).

"While we were captives on the Susquehanna a man by the name of John Secord, a tory, had some flour which had been brought from Niagara, and mother went to him and begged for some for her children, who were almost starving. He refused; his son Cyrus said she was not to blame for her husband's being a rebel; but he steadily refused; Cyrus however secretly supplied their wants."

This son, though acting in concert with his father, sought every opportunity to befriend the captives, which action was appreciated and

remembered: for the same narrative tells that after the ratification of peace the Secords returned to the valley, intending to make a settlement on "Franklin's Flats" at Wysox. Sebastian Strobe (who had returned with his restored family), hearing of Secord's intention, armed himself with a heavy ox-whip and sought an interview, as follows: "John Secord, do you think we are going to have you among us, when you refused to let my wife have flour for her starving children?" following this up with a severe whipping and threatened repetition if he attempted to stay. At the same time offering to treat Cyrus as a friend and neighbor if he chose to remain. Secord accepted this "notice to quit," though Cyrus remained and was well treated. That John Secord had some definite claim to the clearing or settlement here is evinced by the following deed, which, however, was *not* recorded:

"Northumberland County; June 6, 1785. John Secord of the state of New York conveys to Matthias Hollenback all his right title and interest in a certain tract of land called Tioga Point in the county of Northumberland and state of Penna., at the Junction of the Tyoga and Susquehanna Rivers, with the improvements; consideration one hundred pounds. No boundaries given—Conveyance witnessed by John Shepard, Daniel McDowel and Jacob Bowman.

"Proven by Daniel McDowell before Wm. Maclay Esquire July 25, 1785."

It seems safe to assume that the above deed is evidence of the very first sale of land on Tioga Point.⁹ While it is now impossible to understand this transaction, we may be assured it had an amicable settlement, as John Secord's son writes to Matthias Hollenback:

"I am happy to have it once more in my power of manifesting my friendship to you, which I shall ever cherish with the fondest recollections."

As to other settlers here at this early date there seems to be no definite record. Craft says:

"It is very certain that quite a number of Loyalists had homes of more or less permanence, extending from Tioga Point to Chemung, but their name and locations cannot be fixed and would be of little historical value if they could."

"Provost's Plantation" was one of these. John Jenkins, in his field notes of the first survey, gives this as "Genl. Provost's plantation N16E98 rods to a ridge of land near the fording across the river." As this is above "the end of a mountain on the other side of the river," we locate it about where the old Elsbree farm house is, below Tozer's bridge, or thereabouts. Of this Walker says: "Which the writer has ascertained was located on Pitney Snyder farm, at the foot of Spanish Hill, where subsequent settlers found buried quite an amount of household utensils, such as iron kettles, pewter dishes, etc." This is an error, doubtless; due to the fact that Provost was confounded with some other Loyalist, settled temporarily in this vicinity. One called Fitzgerald's farm was mentioned by Sullivan's soldiers as opposite Barton, and in ruins in 1779.

⁹ In the narrative of Mountpleasant in the "Holland Purchase" he says: "Our best hunting grounds used to be off toward Genesee river; Secord was an early and successful white trapper in this region." We may infer from this that it was as a hunter and trapper that John Secord first came into this region, possibly before settlement at Tunkhannock, and, of course, was well acquainted with the British at Niagara.

When the news of the battles of Concord and Lexington reached the Susquehanna settlement, a meeting was called at Wilkes-Barre, August 23, 1776, the result of which was the organization of the First and Second Independent Companies of Wyoming, mustered into service September 17, 1776, joined Washington's army December 12. The settlers all along the river, Spaldings, Bucks, Smiths and others, left their farms, and returned to Wyoming to join these companies. There was also formed later the Twenty-fourth Regiment, Connecticut Militia, whose history has been well told by Hon. Charles Tubbs. (See pamphlet published by Tioga Point Historical Society.)

Tioga Point in the Early Days of the Revolution.

Naturally, this strategic point was of much use to British, Tories and Indians during the Revolutionary struggle, though somewhat slightly treated by general historians. Not only was it useful as commanding Pennsylvania, but, by the establishment of Fort Schuyler, the old Indian trail between the Mohawk Valley and Upper Canada, much used by Brant, was unsafe. A new route was adopted by Irondequoit Bay, up the Genesee and one of its tributaries to the Conhocketon, thence to Painted Post and down the Chenung through Newtown to Tioga Point, thence up the Susquehanna to Unadilla. The latter became Brant's northern headquarters, whence were made the devastating raids on the valleys of the upper Susquehanna, Mohawk, Delaware and Hudson. Tioga Point seems to have been his southern headquarters, the place where councils were held with the British, raids planned, etc. For it quickly became the rendezvous for Indians, British, Tories, and deserters from the American army; the latter finding shelter at Sheshequin with Lord and Hopkins, and at Tioga with the Secords. The hostilities began by raids down to the river on the unprotected settlers from Tioga Point to Wyalusing.¹⁰ Those who were not cruelly murdered were held captives at Tioga Point, or forwarded to the British fort at Niagara; or, in case of sudden alarm, sent to Unadilla. For "from Tioga Point to Unadilla," says Judge Avery, "our valley was their stronghold, unvisited by colonists except as captives. * * * Here they drilled and trained themselves to warlike feats and prepared for those deadly incursions into our frontier settlements, * * * and to this valley they returned as to a fortress."

To protect themselves, Miner says, that in 1776 or '77 a system was established at Wyoming by which scouts were sent up the river to watch Indian trails and bring intelligence. Each party, of five or seven men, was generally out a week, their number increased as emergencies required. Few, if any, of these scouting parties reached Tioga Point, though many of its settlers were included in the parties, and their stories are handed down to the present generation, full of hair-breadth escapes and blood-curdling experiences. The following inci-

¹⁰ "About the first of December, 1777, the Tories and Indians pillaged the house of Richard Fitzgerald at Standing Stone, and made captive Mr. Lemuel Fitch, who never returned. This was the first hostile act in the valley—the Yankees were not therefore the first aggressors as has been charged." (From Wm. Houck's postscript to David Allen's narrative, Smiley mss., found in the Craft Collections.)

dent, given to Rev. David Craft by Steuben Jenkins, we think has never been in print:

"Wyoming Sept. 22, 1875 I to-day had a visit from O. N. Worden (editor of first Athens paper) and obtained from him a very interesting document, of which the following is a copy: 'Concerning news I would inform you we had some men went up the river on business and the Tories and one Indian took them, but let them all come away except John Jenkins whom they have taken to Niagary we suppose, and our people went up, a party of them and have killed the one Indian and took and brought down 25 Tories nigh their whole parti. So now we expect to be at peace no more, but our regards to all our friends and greatly desire to hear from you all.'

"The document is without date in time or place, and also without signature. It was said to have been sent to Elisha Worden as a 'note of warning' in December 1777; and though talked of a good deal in Worden family it was found only a short time ago in Vermont by O. N. W. It would seem from this that the taking of John Jenkins a prisoner was the direct cause of sending up the force under Lt. Col. Dorrance by order of Col. Denison to arrest the tories about Wyalusing and above.

"STEUBEN JENKINS."

The expedition to which Mr. Jenkins refers was as follows: On December 20, 1777, Col. Denison¹¹ sent a force of 112 men under command of Lt. Col. Dorrance up the river. They came as far as Sheshequin, raided the house of Captain Hopkins, known to be a refuge for tories and deserters, took some prisoners, and returned to Wyoming.

C. F. Heverly, in "Sheshequin," narrates (*without corroborative references*) that Hopkins was an Indian, commissioned Captain by the British, and that he lived on present Culver property, that during the attack Hopkins was shot by one Rufus Baldwin, and that "this was the first blood shed in this valley during the Revolutionary contest," that Hopkins recovered and was at the battle of Wyoming.

The following memorial to the General Assembly of Connecticut was submitted by Col. Denison in January, 1778:

"On December 20, 1777, I was informed that a band of Tories was forming in order to stir up the Indians of Tioga to join said Tories, and kill and destroy the inhabitants of this state, upon which information I ordered a part of my regt. to be equipped and march to suppress the conspirators; and also sent an express to the tribes of Indians at Tioga. The express was in service *seven days*."

He then gives number of men who participated, and says:

"The men marched up the river about eighty miles, and took sundry Tories, and happily *contented the Tioga Indians* and entirely disbanded the conspirators."

This would seem to indicate that there were still friendly Indians at Tioga. However, this quiet was not long continued, and the year 1778 opened with renewed hostilities all along the river. In March a second expedition was sent from Wyoming of 150 men under Col. Dorrance, whose avowed purpose was to remove the Whig families to safety. At Wyalusing this force constructed a raft of some of the timbers of the deserted Moravian houses, on which they removed several families with their belongings. Christopher Hurlbut, later a pioneer at Athens, was one of this rescuing party.

Dr. Craft found in Connecticut Archives, State Paper No. 98, a Memorial of Samuel Gordon and Thomas Wigton to the General

¹¹ Commander of the 24th Conn. Regt.

Assembly of Connecticut, wherein it is set forth that Gordon "*out of regard to the welfare of the settlement offered to venture his life to make a discovery of the situation of a number of Tories who lived up the river at a place called Tioga and Sheshequin.*" He made the expedition, and by the negligence of John Jenkins, who agreed to follow him with a force of men, Gordon was taken prisoner, evidently early in 1778. The whole paper is not at hand, but this shows where the Tories were known to be in force.

The familiar names of Van Gorder and Van der Lippe are found on lists of Tories, but we have been unable to follow up the history.

The next Indian raid was, however, but two months later, showing them still undaunted. Indeed, by June, 1778, there was scarcely a white family, *except Tories*, left above the Lackawanna.

John Hilborn, a Quaker and a native of Bucks County, in June, 1778, was taken prisoner by Indians near Stroudsburg and carried to Niagara with other white men. At Tioga Point they rested, and all the loads so far carried on backs were put into canoes and paddled up the Chemung. (From Miss Blackman's "History Susquehanna County.")

Further extracts from the narrative of Mrs. Whittaker, aforementioned, are here introduced:

She relates that her family lived at Wysox, then called Wysockton, having settled there five years before the Wyoming massacre. On the 20 May, 1778, while they were at breakfast, 13 Indians, 3 squaws among them, swooped down upon them and captured them, *i. e.*, her mother, six children, her grandparents and three sisters of her mother. Her father had gone that morning to Wyoming to arrange, if possible, to move his family there, fearing the Indians. The Indians made Rudolph Fox, who lived at Towanda, go down with them, so that the Stropes would not fly on their approach. *He was not a Tory*, but a good-natured German. On their return he got away at Towanda and managed to get his family to a place of safety, fearing his turn might come soon. Mrs. Whittaker thought the Indians were Senecas; they came from the Genesee.

"They took us at once to Tioga Point. There they gave us to Butler at the head of his rangers, composed of Indians and British soldiers. I was about eleven years old at that time. While at Tioga we picked our living from the fields and woods, strawberries, raspberries," etc. (The boys of the party were allowed to fish to eke out this scanty subsistence.) "We saw some prisoners run the gauntlet at Tioga Pt and Oquaga—the women and children pelting them as they ran with their clubs and stones & striking them with their whips. Our party was not compelled to run the gauntlet. When we were taken prisoners they tied the arms of our men, & sent them to Niagara & put them in confinement except the two boys left with us. When we were brought to Tioga, we found the flats there & at Owego cleared and corn raised. The stumps from many of the flats were off. Strawberries were wonderfully abundant."

An enlightening account of the preliminaries of descent upon the Mohawk and Susquehanna valleys in 1778 is found in "Annals of Buffalo Valley," *copied by Mr. Craft*, Note Book No. 5, pages 136 *et seq.*, tell of an intercepted letter, written by a certain Nicholas Pickard to his cousin, both evidently Tories:

"Wyoming March 7, 1777, Worthy Friend—I let you know that as soon as the river is clear of ice, we shall march from every part, therefore I advise you to go out of the way, for we then—intend to cut all off, therefore I think it is better for you to go out of the way for against May it will go as you heard it will go. Perhaps against Easter I will be with you and give better account—I have wrote as much as I durst.

"NICHOLAS PICKARD."

According to minutes of the committee of safety of Northumberland County sworn testimony of the cousin John shows that is a promised note of warning, the Indians having apprised Nicholas Phillips, a Tory at Tunkhannock:

"That they would come down and cut off all against this Spring, or as soon as they got their orders, and would in particular strike upon the Mohawk river and the waters of the Susquehannough,—and that they did not want to kill any that did not take up arms against them, and if he would go out of the way there would be no danger. And that about a fortnight ago, (April 1777) they told him there were 500 Indians at Shamung waiting for their orders from Niagara, and 15,000 of the ministerial troops of Niagara which were to be divided, 4,000 to come down North Branch of Susquehanna, 4,000 down the West Branch; and 7,000 down the Mohawk river, and a number of Indians were to be along with them, and that Nicholas Phillips of Tunkhannock notified Pickard and several others to move with their families to a place called Tioga in the Indian country and that the informant was John De Peu who had gone and joined the English at Niagara, and sent this information by an Indian."

We are in ignorance as to the delay of the expedition for one year.

As Mrs. Whittaker has said, the final preparations for the invasion of Wyoming were all made at Tioga Point, under the supervision of the British Major, John Butler, and the Indian Brant. It is acknowledged pretty generally nowadays that the famous Joseph Brant was *not* at Wyoming, but the affidavit of Robert Jones, made at Minisink only a week after the massacre, shows that he was at least called in council. Jones says that he was at Oghwaga (now Windsor) with Brant, while there:

"Came an express from Butler to Brant ordering him to march immediately to Tioga, *which orders Brant immediately obeyed*, and stayd eight or nine days, saying when he returned that he had been at a treaty; that the Indians refused to join in an expedition to the northward *unless they were first assisted to cut off the inhabitants of the Susquehanna*; at which treaty it was agreed that Butler should go to Wyoming, and that Brant should stay at Anahquago and collect all the provision he could against the return of Butler."

By this deposition it surely appears that the Indians were specially anxious to dispossess the Connecticut settlers.

It is unnecessary in this history to give the oft told story of Wyoming Massacre, but it is worth while to consider this great gathering at Tioga Point—1,100 men, 400 British and Tories, the latter largely recruited by Brant along the upper Susquehanna, and 700 Indians, mostly Senecas, it is said. Of course, all of Queen Esther's braves were there. Imagine the busy scene! The modern historian tells us the canoes for this great force were made at Tioga Point, though it has long been said that they were made up the Cohocton or upper Cayuga Branch.¹² However, it was a busy camp. *Where was it?*

¹² "The canoes which carried a large party of Tories and Indians to Wyoming in 1778, were made on the Canisteo. At the settlement of the upper valley of that river the trunks of trees, which proving unfit for use had been abandoned after having been partially wrought, with other traces of work, and some tools and weapons, were found on the farm of Col. J. R. Stephens near Hornellsville. The settlers had this fact also from the Indians."—Erwin's Painted Post History.

According to Mrs. Whittaker, John Secord, the well-known Tory, was the sutler or commissary. As already told, he had seven acres (probably cleared), from river to river, just below the Museum-Library. The natural landing place was at the back of the present Museum-Library site. There is every indication that the camp was located there, and that one may look to-day from the windows of the Tioga Point Museum and imagine the fleet of canoes starting on their voyage of destruction.

Mrs. Whittaker heard them speak of killing white dogs and roasting them. This curious Indian feast was over. Each warrior had partaken of the flesh said to give courage and bravery. Each warrior had put on their hideous war paint, black striped with the red ochre, such as is seen to-day in the museum. Some of them had the imposing feather head-dress, waving above their heads or tied at the side, English fashion, with cord and tassels. Now they are all ready. Johnson's Royal Greens, in their bright uniforms, adding to the hideous picture. One's heart thrills with horror, as did that of the miserable white captives, when, standing in their canoes, the Indians join in their awful war songs. The gibbering squaws and screaming children on the bank are giving them good speed, and the fleet is off on that terrible expedition, ending in the well-known Wyoming Massacre of July 3, 1778. It does not seem necessary in this history to repeat the oft-told tale.¹³

There were many families at Wyoming who came later to this lovely valley, and there are a few stories that have not been told, which were oft recounted to her children by Elizabeth Satterlee, who at the time of the massacre was a trembling child of thirteen, with an invalid mother and several small brothers and sisters. Her father, Benedict Satterlee, it is supposed, fell in the battle or during previous disorders. Was it not Elizabeth herself who, crouching behind the bed, sought to defend the others with the musket still possessed by her descendants, and well named "Old Trusty." Then came the awful moment when she had to yield, and one as awful when the Indians painted all their faces to keep trace of them. Brave as ever, she begged of the Indians her own pet pony, which they were driving away with other horses. The girl's assurance touched the Indians, and they parleyed with her and put her to a strange test. The captured stock was all to be driven over a small bridge. The Indians asked her if she could tell her horse's step among the others; she said she certainly could. So they told her to go under the bridge; that they would ride her horse over with the others, and if she could tell its step they would leave it for her. This she was willing to try, and they rode ever so many horses over several times, but she always knew the step of her own. And after all this test, the horrid savages took it away from her. Then came the dreadful journey back to Connecticut, of which each survivor had a different tale of harrowing experiences. None but old, feeble men, very young boys, women and children to go. Yet they were warned by their enemies, when driven out, that if found near

¹³ For complete account see Harvey's "History of Wilkes-Barré," p. 972, *et seq.*

Wyoming after a certain time they would all be killed. So the pathetic company started through the dense forest, with only one or two old horses and hardly any food. When relating this to her children, Mrs. Matthewson would always pause and say, "But the Lord mercifully fed us all the way with whortleberries, which grew so thick that we gathered all we needed without ever stopping as we went along." She said that when night came they all were obliged to lie down under the *open* canopy of heaven, without any covering save that of angels' wings. She said they would look out a place to lie, in or near some little bushes, such as alder or whortleberry, that they might have the partial covering their leaves afforded.

After several days they reached the Delaware at Stroudsburg, where they met with two companies of the Continental troops, who had been sent to the succor and relief of the people of Wyoming, but too late. Here they remained a week or more, and received rations from the military stores of the two companies. The mother, Mrs. Satterlee, had a young baby and was not strong, so they gave her the use of a horse most of the way. When only a day's journey from their destination, their Connecticut friends, who had heard of their coming, met them at a small settlement with horses and food. The poor, tired mother asked to go in a house and lie down for a while to rest; she fell asleep. The company waited a while, and she did not waken; they decided to go on and return for her the next day. But she never waked—she died of fatigue; and Elizabeth, left with the younger children to care for, soon developed the great determination and masterful character well known in later years. Small wonder that there was an element of fierceness in the tiny, delicate body after such an experience. Though she never seemed to have much enmity for the Indians, the Tories had her undying hatred; she never had the least bit of toleration for them. How she would and could have fought them, frail as she appeared, was shown in the contests of strength that in her old age she loved to have with her grandchildren and their playmates. Unquestionably, her hatred of the Pennsylvania claimants was increased by the remembrance that they were supposed to sympathize with the Tories.¹⁴

There are many more stories of the massacre and the flight that could be told, but as much of this was never before printed, it has seemed wise to give it as a typical picture of the distress of those days.

The Strobe captives were still at Tioga Point when the party returned from Wyoming, laden with booty, among which, says Mrs. Whittaker, were cattle and horses in great numbers; though she heard them say that some of the cattle tumbled off from Breakneck Hill and were killed. The Indians and other forces, and all the prisoners, went up the Susquehanna to Bainbridge and Teunadilla soon after their return, going in canoes. While there, two British soldiers deserted; curiously enough, making their way toward Tioga Point. They were overtaken at Nichols; court-martial was dispensed with, and they were shot down at once. Their bodies were left on the ground, as not

¹⁴ For much of these interesting reminiscences we are indebted to a grandchild, Mrs. Annie Washburn Lee.

worthy of burial. Queen Esther (who told the story to the Stropes), however, herself superintended the digging of graves and had them buried in Indian fashion.

Some of the Indians returned to Tioga Point with their captives, remaining there undisturbed until after Hartley's expedition. (This proves that Hartley did not come above the old town of Diahoga.)

Afterwards all the captives were sent to Fort Niagara with an Indian escort. On their way they stopped at French Catherine's a week or two. There the Indians had a great pow-wow, the squaws all went off evidently for the Green Corn dance.¹⁵ (From Mrs. Whittaker's Narrative.)

Judge Avery thus comments:

"There was something particularly interesting, so say various writers, in the Festival at the commencement of the year. A white wampum—the emblem of purity with the Indians was placed in the centre of the group & each Indian in his turn walked to the center of the room—took the white wampum in his hands—expressed in strong terms his determination for the future to lead a good Indian's life—talking his resolution 'into the wampum' as they signified it. In all their councils & treaties with the whites they passed a wampum, or belt as we would call it, over to the person for whom the harangue was intended. This was talking the law or the terms of the treaty into the wampum. There was an officer in the Confederacy whose special duty it was to preserve the wampums. He was called the keeper of them. He would be called in our deliberative bodies a Clerk—Keeper of the Records.

"We cannot but admire this simple & firm belief of our Indian predecessors in the existence & superintending care of the Great Spirit—so far in advance of the Polytheism of the Ancients—There was also among our predecessors an entire freedom from anything like idolatrous worship. In their simple faith they followed back to its source the warm ray which loosened the trickling sap—which reddened the berry—which embrowned the tassel of the corn & perfected the harvest. The Indian savage with untutored mind but with a thankful heart looking from his yearly blessings as they returned up to the hand of Hawn-nee-gar—the Great Spirit—who gave them."

¹⁵ Judge Avery thus comments here: "The dances, of which Mrs. W. mentions two, were important festivals, five or more occurring in the year; they were of a religious character, thanksgivings to the Great Spirit for the yearly return of various blessings. The first was the Maple Festival, thanks being returned for the first running of the sap. The next was the Strawberry Festival, the first fruit of the season. The next was the Green Corn dance, when the corn was large enough to use. The next the Harvest Festival, and the last at the commencement of the new year, a propitiatory ceremony that the Great Spirit would bring a return of usual blessings. These were all very sacred, conducted with gravity and decorum until the dancing commenced, when gay costumes, eagles' plumes, and ornaments of various sorts added brilliancy to the scene."

"The chief dances of the Indians are the Feast of the First Fruits, the Great Feather Dance and the White Dog Dance. At the first dance thanks are returned to the Great Spirit for the first fruits of the season. These are the strawberries. At the second dance, which takes place in the fall, the Indian renders thanks for all the fruits of the year. The White Dog Dance is by far the most important of the three. It takes place once a year in the month of January.

"According to the Indian's religion, the Great Spirit demands that he be rewarded the sacrifice of something that is very scarce in the tribe. It corresponds to the Eucharist in the Christian churches. The dog used is of a very rare kind and is bred especially for this purpose. It is milk white, and is selected as the fittest symbol of truth and veneration. The animal is always strangled, and never tortured. I have witnessed many of these dances and have never seen anything repulsive in them."—Harriet Maxwell Converse.

CHAPTER VIII

REVOLUTIONARY CAMPAIGNS IN THIS VALLEY

The Sullivan Expedition, and Its Forerunner, Commanded by Colonel Hartley—Some New Lights on Their History—Life in Fort Sullivan—Cherry Valley Massacre

While to the casual reader "the Hartley Expedition" may seem of minor importance, classed, indeed, as an ordinary scouting expedition worthy of but passing notice; careful investigation proves it to be far more. For the great Sullivan Expedition was planned by Washington, and only executed by Gen. Sullivan; whereas its forerunner was entirely due to the clever conception and able execution of Colonel Thomas Hartley¹, who, in being appointed to defend the frontiers, was given absolute freedom. And his consummated endeavor proved the feasibility of the more extensive later campaign, convincing both Washington and Congress. Not that the idea of a raid into the Indian country was original with Hartley, for the Pennsylvania Archives show that from the hour of the Wyoming Massacre some such experiment was under consideration. As nearly as can be judged, the suggestion first came from General Armstrong, who July 22, 1778, wrote to the President of Congress, saying he had already addressed to the State Delegates in Congress "a few promiscuous thoughts on expediency of carrying the war into the Indian Country, and that the first or most natural excursion would appear to be up the Susquehanna to return the visit of Mr. Butler and his friends; but we have no person acquainted

¹ Thomas Hartley, lawyer, soldier and statesman, is not sufficiently well known to the people of his own State, or, perhaps, to the country. He was one whose brilliant life and bold deeds should be very familiar to the youth of America. His efforts in establishing or guarding the frontiers cannot be too highly estimated. Probably the best and fullest account of his life is in the valuable work, "Pennsylvania and the Federal Constitution." Dr. John W. Jordan has also written an excellent sketch, published in the *Historical Magazine of Pennsylvania*, accompanying a copy of the miniature possessed by descendants of Eleanor Hartley (Hall). The copy here presented, by the courtesy of Rev. H. E. Hayden, is evidently from the same miniature. The following is culled from above noted sources:

Thomas Hartley, the son of George Hartley, a prosperous Pennsylvania farmer, was born September 7, 1746, in Colebrookdale Township, Berks County. At the age of eighteen, after being at school in Reading, he chose the legal profession, and was admitted to the bar after several years study. He rose rapidly to legal distinction and was embarked upon a successful career, when the Revolutionary War began. He was successively elected to many responsible offices under the new Republic, and finally became Lieut. Colonel of the Sixth Battalion in January, 1776; and served in the Canadian campaign. In December Washington made him commander of a newly organized regiment which had an active part in the campaign for the defense of Philadelphia, and was also in active service at Brandywine, Germantown and Paoli. In July, 1778, he was ordered with his regiment to Sunbury, and was put in charge of the defense of the frontier, a service well and ably rendered. December, 1778, upon the re-organization of his regiment with some independent companies, he was made commander of the whole by Congress. But two months later he resigned, having been elected a member of the Assembly of Pennsylvania. It seems strange that so brave a soldier should leave active service, but perhaps he saw in the new office greater opportunity to serve the young Republic. In 1783 he was elected as one of the Council of Censors; in 1787 was a delegate to the Pennsylvania Convention to ratify the Federal Constitution; and in 1788 he was elected a member of Congress by the Constitutionalists, and continued in that body for twelve years. He was the first Pennsylvania lawyer to be admitted a counsellor in the United

with that country of which intelligence at this time is much wanted." A few days later he wrote to Bryan, Vice-President of Pennsylvania: "Beyond all question the Seneca towns and others northward ought to be the first mark * * * would the Oneidas be guides? their Clergymen might pick from them such as could be trusted."

Later he writes again to Bryan; suggests that, as an excursion is to be made into the enemies' country by Colonel Morgan, that he should make a junction with Hartley and forces at Wyoming, or if more convenient, "*still higher on the Susquhanna at Tiahoga,*" thence to proceed to the Seneca towns, etc. He also says there should be not less than 3,000 men under a good commander.

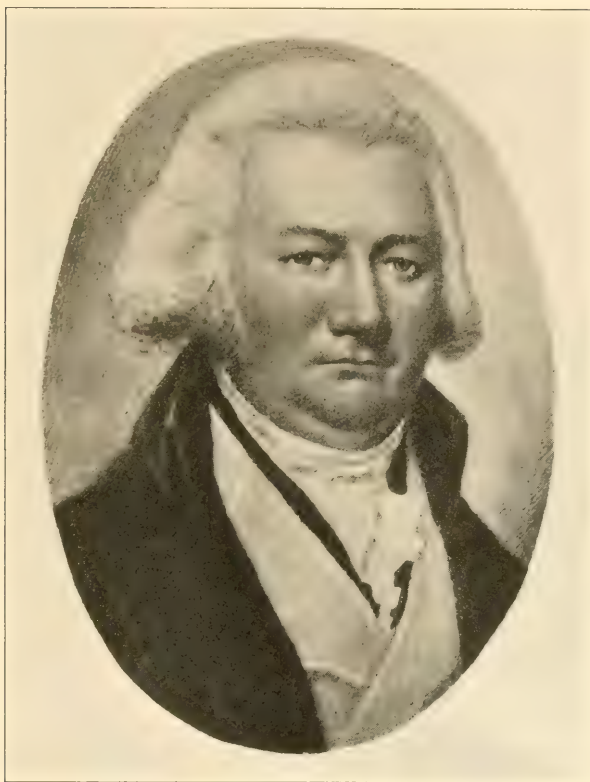
Congress and the Council evidently disapproved, as soon after he writes again: "I am sorry to find that the *necessary* efforts into the Indian country are not like to be carried out, or hang in suspense."

With this indecision, arising, of course, largely from inability to decide where troops could be used to *best* advantage; it was well that so resourceful a man as Hartley was in a position to act at this critical juncture. For, while the general historians touch lightly on these expeditions, it has come to be recognized by historical students that in the great issues of the Revolutionary War the Sullivan Expedition was a potent factor; and that it could hardly have been possible without the bold effort of Hartley just before. The account of the Hartley Expedition as here given is the substance of a paper written originally for the Tioga Point Historical Society by Rev. David Craft, and read by him before that body in October, 1903. It was the desire and intention of the society to publish this at once. But through some misunderstanding it was withheld by Mr. Craft; and at a later date revised and read before the Wyoming Historical and Geological Society, by whom it was published. The original paper, however, was finally given to the author for insertion in this work, with such corrections and additions as it seemed best to make. No credit, therefore, is due to the Wyoming Society for its appearance.

States Supreme Court. He was one of the original members of the Society of the Cincinnati, and one of the first trustees of Dickinson College. In 1800 he was commissioned Major-General in the State Militia. Having purchased 1,000 acres of land in the Buffalo Valley, in 1799, he laid out a town which bears his name and perpetuates his memory.

His great admiration for Washington was evidently reciprocated, as his name is frequently mentioned as attending the social as well as official functions of the President. And in 1791 it is recorded that Hartley entertained Washington at his home in York, Pa. Thus it will be seen he rose to eminence in every position filled by him. A most remarkable tribute (appended) was paid by his friend and pastor at his funeral in December, 1800. It is strange that both he and Sullivan died almost before the prime of life at about the same age. Possibly their constitutions were impaired by their rigorous campaigns. The large collection of Hartley's letters in the Historical Society of Pennsylvania show that he was both brilliant and witty.

"If I could blow the trump of fame over you ever so loud and long, what would you be the better for all this noise? Let not your integrity, patriotism, fortitude, hospitality and patronage be forgotten. Another (who need not be named) hath borne away the palm of glory, splendid with the never-dying honor of rearing the stupendous fabric of American freedom and empire. Departed friend! you hear me not, the grave is deep and silent. In this work of blessings to future ages you bore, though a subordinate, yet an honorable part. Soldiers of liberty! come, drop a tear over your companion in arms. Lovers of justice! come, drop a tear over her able advocate,—and of science, come drop a tear over its warmest patron. Children of misfortune! come, drop a tear over your benefactor and protector. Brethren of this earthly lodge! rejoice that our brother is removed to the temple of the Supreme. Ministers of religion! come, drop a tear to the memory of a man who was ever the friend of truth and virtue. And thou, my soul! come not into the assembly of those who would draw his reposed spirit from the bosom of the Father who is in heaven."—(From the funeral sermon by Rev. John Campbell, D. D.)



Th. Hartley

Colonel Thomas Hartley and His Expedition Against the Tories and Indians at Tioga Point in 1778.

(As originally written by Rev. David Craft.)

The Hartley Expedition may properly be called the prologue of the Sullivan Expedition the following year. The destruction of Wyoming was complete. The people were driven off, their property destroyed, their buildings burned, and their cattle and horses taken by the enemy; although Butler promised that if the people would not again take up arms against the British nothing should be molested.

Having completed the devastation of the settlements on the North Branch, the enemy turned his entire attention to the settlements along the West Branch, where raids had been made early in the season. Pioneers had pushed up this stream as far as the "Great Island" (pres-

ent Lock Haven). As troubles from the Indians began to be imminent, and to have actually begun, forts were erected at various points for the protection of the settlers in their neighborhood, and the inhabitants began to rest in quiet and with some feeling of security. Soon after the sack of Wyoming the storm in all its savage fury burst upon these hapless settlers. Parties of Tories and Indians made a descent upon the settlements, ambushed and killed and scalped parties at work in the fields, or traveling upon the highways; or watching the absence of the men, attacked women and children in their houses; and, growing bolder by their success, they ventured even to attack considerable bodies of armed men and the forts upon which the inhabitants depended for protection and shelter. In a short time terror and dismay spread throughout the valley. Men were shot down and scalped, and their assailants made good their escape, almost under the guns and in sight of the forts; women were killed while at their domestic work and children while at play in the door-yard of their homes. A detailed account of the murders, pillaging and general destruction of life and property cannot here be given. A piteous but urgent cry was made to the military authorities for help in their great extremity. The appeals of the people to Congress were not made in vain, for that body at once ordered Colonel Hartley with his regiment to the West Branch valley.¹ He arrived in the early part of August and immediately took steps toward strengthening Fort Muncy,¹ near the mouth of Lycoming Creek, and putting it in condition to make a stout resistance in case of an attack. A body of militia, amounting to 300 men, was ordered out in the country to assist those who were anxious to gather their crops now suffering for the sickle. This had the effect of encouraging the people, and they commenced returning in large numbers to their desolated homes. Colonel Hartley seems to have been the right man for the place. The records show that 100 men belonging to Colonel Hartley's regiment, 220 militia from Lancaster County, 170 from Berks County, 100 from Northumberland County,² and between 60 and 70 of Captain Murray's company of six-months men, was the entire number of men enrolled in the valley. This made a force of about 700 men, which was deemed sufficient to cope with the enemy. They were stationed at various points by order of Colonel Hartley and directed to be vigilant.

Colonel Hartley soon saw the advantage to the service of a troop of cavalry, where the enemy were so alert as those with whom the settlers had to contend. Accordingly, on the first of September he informed the Executive Council that he considered it highly important to have a small body of horsemen ordered to the valley, and he also wrote to the Board of War making a similar request. In the same letter he stated that Captain Walker had succeeded in making the necessary repairs at Fort Muncy and that he had obtained a four-pounder from Fort Augusta, which had been properly mounted.³ During the long and bloody war between Rome and Carthage a Roman general and statesman said that the best way to defend Rome was to carry the war into Africa and put the Carthagenians on the defensive. As the Indians continued to be very troublesome, it occurred to Colonel Hartley to pur-

sue similar tactics and undertake some offensive measures to inflict upon the merciless savages the same treatment the frontiersmen were receiving at their hands. With this end in view, as well as to obtain information useful for a much more formidable expedition against the Indian towns of Central New York then under consideration, Colonel Hartley in September, 1778, planned an expedition to Tioga Point, to destroy some of their villages and break up some of their places of rendezvous.⁴ This expedition, which proved to be entirely successful, was one of the most remarkable on record, and though to some extent overshadowed by the much greater and more pretentious one of the following year under General Sullivan, really made *that* expedition possible and paved the way for its success. The line of march was by the somewhat unfrequented Indian trail known as the Sheshequin path, which, beginning at Muncy on the West Branch, followed up the Lycoming Creek to its head at the southwest corner of this country. Here the path divided; one branch leading northward through present Elmira to Canadesaga, the other down the Towanda to between LeRoy and West Franklin, when it crossed the divide to Sugar Creek near the County Almshouse, thence down Sugar Creek to near its mouth, when it followed near the line of the present highway across Hemlock Run over Gibson Hill, where the Moravians called it "The narrow way," to the great path along the river, at present Ulster. It indicates the topographical skill of the men of the forest that every great railway in the country follows substantially an Indian trail. The Northern Central Railway of the Pennsylvania system follows the rule, taking the valley of the Lycoming, which it crosses just about as frequently as the old path did, while near Grover it takes the northern path to Canadesaga, instead of the eastern one. The Sheshequin path was familiar to the early travelers in the country, all of whom speak of its deplorable condition and almost insuperable difficulties. Forty years before (1737) Conrad Weiser, the intrepid Indian agent, had been over this route, and was the first to notice the divide between the Lycoming and Towanda creeks.

A few years later Weiser, in company with Joseph Spangenberg and David Zeisberger, two intrepid Moravian missionaries, came over this same path, on which account it is afterward known in the Moravian records as "Joseph's path." All speak of its extreme difficulty and the relief experienced when the end was reached. The trouble experienced by Hartley's men, and which will be spoken of later, are not in the least overdrawn and are only a repetition of experiences given by all former travelers. The best source of information regarding this expedition is Colonel Hartley's own report to Congress, in which he describes minutely every step taken from his leaving Muncy until he arrived at Wyoming. From this report free quotations will be made.⁵

As to his force, he says: "What with volunteers and others we reckoned on 400 rank and file for the expedition besides 17 horse, which I mounted from my regiment under the command of Mr. Carbury. Our rendezvous was Fort Muncy, on the West Branch, intending to penetrate by the Sheshcanunk Path to Tioga at the junction of the

Cayuga with the main Northeast Branch of Susquehanna, from thence act as circumstances might require. The troops met at Muncy 18th of September. When we came to count and array our force for the expedition (instead of the 400, as had been expected) they amounted to only about 200 rank and file. We thought the number small, but as we presumed the enemy had no notice of our design, we hoped at least to make a good diversion, if no more, whilst the inhabitants were saving their grain on the frontiers." "Of this force were 150 from Wyoming under the command of Captain Simon Spalding, of whom 60 were from the Eleventh Pennsylvania Regiment (Hartley's), who had been sent to reinforce the Wyoming garrison and now returned to their regiment, and 58 were Spalding's Independent Company, and 12 were volunteers under Captain John Franklin of the settlers, who had returned after the battle of July 3d.⁷ Of the other 70, a part was from Hartley's regiment at Fort Muncy and part was Captain Murray's six-months militia, and the 17 light horse under Captain Carbury.⁷ The most of them were connected with the Sullivan Expedition the following year.

At four o'clock of the morning of September 21, with the little force before mentioned, Colonel Hartley set out on his tedious and perilous march. They carried two boxes of spare ammunition besides what was in their cartridge boxes, and twelve days' rations. The path they were to take, always difficult, presented unusual obstacles. For a number of years it had been but little used, and was so overgrown with brush and obstructed with fallen timber as to be hardly discernible, constantly requiring a considerable force with axes to clear the way and make it passable even for experienced woodsmen. Their march fell upon the period of the equinoctial storms, rain fell almost every day. Their clothing was soaked, every bush and twig they touched let down a shower upon them; the frequent swamps were filled with water, compelling them to wade knee-deep in the ooze and mire. The creek (Lycoming), with its rapid current swollen to unusual depth, they were compelled to wade, sometimes breast-deep, no less than twenty times. The way lay over high mountains, up whose narrow paths they were compelled to climb on their hands and knees, down precipices of slippery rocks; their clothing constantly wet, and compelled to sleep upon the ground soaked with water; this three days' tramp up the Lycoming was enough to appall the most courageous—yet not a man flinched or hesitated. The Colonel says: "In our route we met with great Rains and prodigious Swamps. Mountains, Defiles and Rocks impeded our march. We had to open and clear the way as we passed.

"I cannot help observing that I imagine the Difficulties in crossing the Alps, or passing up Kennipeck, could not have been greater than those our men experienced for a while. I have the pleasure to say they surmounted them with great Resolution and Fortitude. In lonely woods and groves we found the Haunts and Lurking places of the savage Murderers, who had desolated our Frontier. We saw the Huts where they had dressed and dried the scalps of the helpless women and children who had fallen in their hands." To guard against surprise an advance guard of from 15 to 20 men was kept a little distance in front of

the main body, and wherever the way would admit, flankers were thrown out to beat the bush for ambushades, while the rear had to be kept constantly well guarded. This necessary precaution added to the natural roughness of the path; the drenching rains and the thick growth which had accumulated increased greatly the difficulty of the march over that of other travelers who have spoken of the tediousness of the route. Their first experience with the enemy occurred September 26, the sixth day of their march. The advance party of 19 met an equal number of Indians on the path approaching them.⁸ The whites had the first fire. A very important Indian chief was killed and scalped, the rest fled. It now became certain that the expedition, which, however secret it may have been before, could remain so no longer. The fleeing Indians would give the alarm and a force would be ready to receive them as soon as they emerged from the wilderness. Whatever success the expedition achieved now depended upon the celerity of its movements in reaching Tioga before the enemy could assemble his forces, which were considerably scattered, owing to recent attacks upon the New York frontiers. To hurry forward with all possible speed was now the order. A few miles farther on they discovered where upwards of seventy warriors had slept the night before on their march toward the frontier settlements. The fleeing Indians communicated their panic to this party, who joined them in their retreat to the towns on the Chemung. Unfortunately, we do not know the exact location of either the skirmish or the Indian camp. These events were, however, somewhere in the neighborhood of Le Roy or Burlington, on Sugar Creek, for that night the expedition reached Tioga, having made a forced march by way of Old Sheshequin. Sheshequinunk was an old Indian village on the west side of the river, on the site of present Ulster. During the Pontiac War (1763-1765) the town was abandoned, but after peace quite a number of families of Delawares under Echobund, the husband of the notorious Queen Esther, returned and built their huts just above Cash's (Old-town) Creek. A little later several families of Jersey Delawares, Christian Indians (Brainerd's), came to Sheshequin and built *below* the creek, which was the dividing line between the villages. At the request of these Christian Indians the Moravians sent a preacher among them. They had a church of hewn logs, a school house and a number of log dwellings. The settlement continued to thrive until 1772, when they joined the Wyalusing Indians in migrating to the Ohio. The heathen Indian village moved four miles up the river and located on what has since been known as Queen Esther's Flats.⁹ Echobund died probably about the time of the migration of the Moravian Indians, but his clan remained loyal to his widow, who upon the death of her husband assumed the government. She, with her warriors, was at Wyoming, where she raged like a fiend incarnate. She abandoned her village before the Hartley Expedition and later went to Canoga, N. Y., the birthplace of Red Jacket, where she married an Indian whom the whites called Steel-trap, and where she died. Tioga (Diahoga) was the oldest and most important Indian town in that part of the country. From time immemorial it had been the "fore town" of the Iroquois and the residence of

their viceroy, a Cayuga chieftain. It was a rendezvous for Indians and Tories during the Revolution. Hartley found it deserted, all the people having gone to Chemung.

On the morning of the 28th, Hartley with his force crossed the river and made their way by the great warrior path to Wyalusing.

Of the events of the 26th of September we let the Colonel tell the story. After speaking of the skirmish and the encampment he says: "No time was lost. We advanced towards Sheshecunnunk, in the neighborhood of which place we took 15 prisoners from them. We learn that a man had deserted from Capt. Spalding's company at Wyoming [one of the Van Alstyne's] after the troops had marched from thence and had given the enemy notice of our intended expedition against them. We moved with the greatest Dispatch towards Tioga, advancing our Horse and some Foot in Front, who did their duty very well. A number of the enemy fled before us with Precipitation. It was near dark when we came to that town¹⁰ [the evening of the 26th of September]. Our Troops were much fatigued. It was impossible to proceed further that Night. We took another Prisoner. Upon the whole information we were clear the Savages had intelligence of us some days—That the Indians had been towards the German Flats—in Mohawk Valley—had taken 8 scalps & brought off 70 oxen intended for the garrison of Fort Stanwix. That on their return they were to have attacked Wyoming and the settlements on the West Branch again. That Colo. Morgan or no other person had attempted to penetrate into the enemy's country, as we had been given to understand,¹¹ and that the collected force at Chemung would be upwards of 500 and that they were building a fort there. We also were told that young Butler had been at Tioga a few Hours before we came—that he had 300 Men with him, the most of them *Tories dressed in green*¹²—that they were returned toward Chemung, 12 miles off, & that they were determined to give us Battle in some of the Defiles near it.

"It was soon resolved we should proceed no further, but if possible make our way good to Wyoming. We burnt Tioga, Queen Hester's Palace or Town and all the settlements on this side.

"Several Canoes were taken and some Plunder, Part of which was destroyed. Mr. Carbery with the Horse only was close on Butler. He was in Possession of the Town 3 miles up the Cayuga Branch, but as we did not advance he returned. The consternation of the enemy was great. We pushed our good Fortune as far as we dare, nay it is probable that the good countenance we put on saved us from destruction as we were advanced so far into the enemy's country and no return but what we could make with the sword. We came to Sheshecunnunk that night (Sept. 27). Had we had 500 Regular Troops and 150 Light Troops with one or two Pieces of artillery we probably might have destroyed Chemung, which is now the receptacle of all villainous Indians and Tories from the different Tribes and States. From this they make their excursions against the Frontiers of N. York and Pennsylvania, Jersey & Wioming & commit those horrid Murders and De-

vastations we have heard of. Niagara and Chemung are the assilums of those Tories who cannot get to New York.

"On the morning of the 28th we crossed the river and marched toward Wyalusing, where we arrived that night at eleven o'clock—our men much worn down—our Whiskey and Flour was gone. On the morning of the 29th we were obliged to stay until eleven o'clock to kill and cooke Beef. This necessary stop gave the enemy Leasure to approach."¹³

Hartley found Wyalusing considerably dismantled. Early in the spring before a party had come up from Wyoming, who made rafts of the timber in the church and some of the best houses, upon which were loaded a few families who had remained in the vicinity during the winter; and with their goods were carried to Wyoming. What was left of this once beautiful and interesting town was burned before the troops left their encampment. This town was on the flats about two miles below the present village of Wyalusing.

The path up the Browntown Mountain was a few years ago easily traceable, and probably is so now. As was said, it was eleven o'clock on the morning of September 29 before the detachment was able to leave their Wyalusing encampment. The Colonel says of this day's march: "Seventy of our men, from real or pretended Lameness, went into the canoes, others rode on the empty Pack Horses; we had not more than 120 Rank & File to fall in the Line of March. Lieut. Sweeney, a valuable officer, had the Rear Guard, consisting of 30 men, besides five active Runners under Mr. Camplen. The advanced guard was to consist of an officer & 15. There were a few Flankers, but from the Difficulty of the ground and Fatigue [of the men] they were seldom of use. The rest of our little army was formed into three Divisions; those of my Regiment composed the first, Capt. Spalding's the 2d, Capt. Murrow's [Murray's] the 3d. The Light Horse was equally divided between front and rear. The Pack Horses, and the cattle we had collected were to follow the advance guard. In this order we moved from Wyalusing at twelve o'clock. A slight attack was made on our Front from a Hill. Half an hour afterwards a warmer one was made on the same quarter. After ordering the 2d & 3d Divisions to out Flank the Enemy, we soon drove them. But this, as I expected, was only Amusement. We lost as little time as possible with them. At two o'clock a very heavy attack was made on our Rear, which obliged the most of our Rear guard to give way, whilst several Indians appeared on our left Flank. By the weight of the Firing we were soon convinced we had to oppose a Large Body. Captain Stoddard commanded in Front, I was in the Center. I observed some high ground which overlooked the enemy. Orders were immediately given for the first & 3d Divisions to take Possession of it, whilst Captain Spalding was despatched to support the Rear Guard. We gained the Heights almost unnoticed by the Barbarians. Capt. Stoddard sent a small Party towards the enemy's Rear. At the critical moment Capts. Boone & Brady & W. King, with a few Brave Fellows landed from the canoes, joined Mr. Sweeney [of the rear guard, which had been driven in on to

the Main body] and renewed the action there. The War Hoop was given by our People below and communicated round. We advanced on the Enemy on all sides, with great shouting & Noise. The Indians after a brave resistance of some minutes, conceived themselves nearly surrounded, fled with the utmost Haste, by the only passes that remained & left ten dead on the ground. Our troops wished to do their duty, but they were much overcome with Fatigue, otherwise, as the Indians imagined themselves surrounded, we should have driven the Enemy into the River.

"From every account these were a select body of warriors sent after us, consisting of near 200 men. Their Confidence and Impetuosity probably gave the victory to us. After they had driven our Rear some Distance their chief was heard to say, in the Indian Language, that which is interpreted thus, '*My Brave Warriors, we drive them, be bold and strong, the day is ours.*' Upon this they advanced very quick without sufficiently regarding their Rear. We had no alternative but Conquest or Death. They would have murdered us all had they succeeded, but the great God of Battles protected us in the day of Danger. We had 4 killed and 10 wounded. The enemy must have had at least treble the number killed & wounded. They received such a Beating as prevented them from giving us any further trouble during our March to Wioming, which is more than 50 Miles from the place of Action. The officers of my Regiment behaved well to a Man. All the party will acknowledge the greatest merit and Bravery of Capt. Stodert. I cannot say enough in his favor. He deserves the Esteem of his Country. Mr. Carbery with his Horse was very active and rendered important services till his Horses were fatigued. Nearly all the other officers acquitted themselves with Reputation. Capt. Simon Spalding exerted himself as much as possible. Capt. Murrow [Murray], from his knowledge of Indian affairs and their Mode of fighting, was serviceable. His Men were Marksmen and were useful. The men of my Regt. were armed with Muskets & Bayonets. They were no great marksmen and were awkward at wood Fighting. The Bullet and three Swan shot in each Piece made up in some measure for the want of skill." The place where this action occurred is still known as Indian Hill, and is crossed by the line dividing the county of Wyoming from Bradford. The remnants of muskets¹⁴ and bullets have been found on or near the battle ground. The first two skirmishes were on the Bradford County side of the line, while the heavy fighting was done in what is now Wyoming County.

On the 5th of August of the next year Sullivan's army passed this ground on their expedition against the Western Indians. Some of the diarists call attention to the Hartley fight, but as they were going in the opposite direction, speak of the places in reverse order.

Thomas Grant says: "Likewise passed the place where Col. Hartley defeated the Indians in '78. We then ascended a hill known by the name of Wyalusing Hill—the ascent very gradual, the descent very steep."

Col. Hubley, in whose command were the men who were with Hartley on this expedition, and whose means of information were, therefore, exceptionally good, says: "We arrived in a small valley called Depue's Farm [on Tuscarora Creek]; the land very good. Observed and reconnoitered this ground for some distance, it being the place on which Col. Hartley was attacked by the savages last year on his return from Tioga to Wyoming. The country being fine and open, some loss was sustained on both sides."

Rev. Dr. Wm. Rogers, one of the chaplains of the expedition, says: "About two miles from Black Walnut Bottom we crossed a small run or creek called Tuscaroge, took a particular view of the two places where the enemy last fall attacked Colonel Hartley's regiment on its served and reconnoitered this ground for some distance, it being the regiment could have wished. We passed by the skull of one of our men who was then killed, hanging on a small tree. After we left this height, having marched over a low and swampy piece of ground, we came to Wyalusing Mountain."

All of the accounts are necessarily somewhat vague, but comparing them with each other and the ground passed over we fix the place of the first discovery of the Indians near the place recently owned by the late Hamilton Brown, on the top of Browntown Mountain; the place of the second discovery a mile or more beyond, on the border of the swamp now nearly dried, while the battle itself was fought on the hill about a mile above the present village of Laceyville.¹⁵

Of the men mentioned by Col. Hartley but little can be said. Of Capt. Carbury I have already spoken. Capt. Simon Spalding is a name so familiar to all in this part of the county as to need no further notice. Capt. John Brady lived near Muncy on the West Branch, and was killed there the following April. Capt. Hawkins Boone was a familiar name on the West Branch frontiers. On July 28, 1779, he was in command of a party which was waylaid and defeated by the Indians, from which he narrowly escaped with his life. Lieut. Isaac Sweeney was the captain of a company in Hubley's Eleventh Pennsylvania Regiment. Captains Stoddard and Murray enjoyed a local reputation of being skillful, courageous and successful Indian fighters; further than this I do not know.

Colonel Hartley reported his loss at four killed and ten wounded. The Indians left ten killed on the ground, but according to their custom carried away their wounded and possibly some of their dead. If their wounded were in the same proportion to their killed as in Hartley's troops, the number would amount at least to twenty-five. The rest of the story is soon told. Without further incident the expedition reached Wyoming October 5th, having, as the Colonel says, "performed a circuit of near 300 miles in about two weeks."¹⁶ We brought off near 50 head of cattle, 28 canoes, besides many other articles," and he might have added, recaptured sixteen prisoners taken by the Indians from the settlements on the Susquehanna, and destroyed four Indian towns, namely, Tioga, Queen Esther's Town, Sheshequinunk and Wyalusing. Colonel Franklin, who was with the militia, says the people were

greatly pleased when they saw the returning expedition bring back some of the cattle and goods the Indians and Tories had stolen, but their joy was turned to disappointment when they learned that the plunder—a phrase in that day applied to recovered stolen goods—was to be sold at auction and the money applied to the expenses of the expedition, and that the only way they could regain the possession of their own property was by being the highest bidder at the auction. But, besides these, other valuable results followed the expedition.

1. It was demonstrated that an expedition of larger dimensions, which could penetrate much farther into the Indian country and be vastly more destructive to the native resources, was entirely practicable. Hartley made this expedition over one of the roughest trails in the country in two weeks' time, on twelve days' rations, mostly carried in haversacks, without the loss of a man, except the four in the casualty of battle on Indian Hill. The supplies could be supplemented in no inconsiderable degree by the food and corn growing on the ground about the Indian towns and on their cultivated fields.

2. Of the two paths into the Indian country, that taken by Hartley up to Tioga, and that taken by the river on his return, the latter was the only practicable one.

That the Sheshequin path presented altogether too many obstacles to the transportation of a large body of troops with artillery, ammunition and supplies to be at all practicable.

3. Hartley learned and insisted upon the value of light troops—of men who were familiar with the woods and who were good marksmen and understand the Indian tactics in woods-fighting. He also saw the moral effect of big guns and urged that another expedition should have at least two or three cannon. These were all valuable facts and were made use of in the Sullivan Expedition the following year.

4. The Indians were also taught that blows could be given as well as taken by the settlers.

Shortly after the return of the expedition, the regiment, having become much reduced in officers and members, was by order of Congress recruited and reorganized. Colonel Hartley having been allowed to resign for the purpose of entering upon public life, the command of the regiment, now called the "New Eleventh" of the Pennsylvania Line, was given to Colonel Adam Hubley, and in the Sullivan Campaign the next year formed a part of General Hand's Brigade of Light Troops and led the van of the historic expedition into the wilds and wildernesses of the Iroquois Confederacy. It continued in the military service until the close of the Revolutionary War, when it was disbanded with honor.

NOTES BY AUTHOR.

¹ Here Mr. Craft is somewhat in error. According to the Pennsylvania Archives, Vol. VI, pp. 689, 691-693, Hartley, having been "ordered up to assist the Frontiers," and finding the people had fled, leaving their harvests, which were, on account of the war, unusually necessary; began at once to consider how best to protect the people. He concluded to fix and maintain some new frontier forts, mentioning several proposed in a letter to the council. Of Muncy he says: "We were clearly of opinion that a fort ought to be built near Saml. Wallace's, about two miles from Muncy Creek. I therefore directed one to be laid out accordingly." After describing its proposed construction he adds that it will be a small expense and save thousands of pounds as well as many lives. The council responded that Con-

gress would admit of no expense in erecting forts in the interior, and adds "as to the place where temporary forts may advantageously be erected, your own discretion will determine as occasion offers."

² These poor fellows were reported by Hartley as having arrived with "their cloths all torn by the woods; they are in the utmost want of Hunting shirts and woolen overalls or leggins. I hope 200 of each will be sent up immediately." Poor fellows! in spite of this appeal there is reason to suppose that they accompanied the expedition without the reinforcement in wardrobe, and there is little doubt but that the whole force were in tatters on their arrival at Diahoga.

³ See Pa. Archives, Vol. VI, p. 730.

⁴ See Pa. Archives, Vol. VII, p. 3, first paragraph; also Vol. VI, p. 770.

⁵ See Pa. Archives, Vol. VII, p. 5.

⁶ The harvests were unusually needed for the support of the army, and Colonel Hartley had urged the frightened settlers to return and secure them wherever possible.

⁷ Captain Henry Carbury retained the command of his cavalry squadron until the Sullivan campaign, when that officer deeming so small a body of horsemen unserviceable, and unable to increase their number dismounted them. Captain Carbury retained his rank as captain and his men resumed their places in the regiment. In the affair of the Hog-backs near Chemung, August 13, 1779, Captain Carbury was severely wounded but recovered and re-entered the active military service. On the thirtieth of November, after the Hartley expedition, 1778, he was promoted from Lieutenant to Captain and commanded the Eighth Company of the Eleventh Regiment. He was retired in January, 1781. In June, 1783, he was concerned in the riot of the soldiers of the Pennsylvania line, and to avoid arrest fled to Maryland, where he is lost sight of so far as I know.—*Craft*.

⁸ Probably near Burlington.

⁹ For further account of this town see Chapter VI, Queen Esther and her town.

¹⁰ This was the old Indian town on the Point.

¹¹ Colonel Morgan, to whom Hartley alludes above, with six companies of light troops, who was in the Fourth Pennsylvania Regiment, commanded by Lieut. Colonel William Butler, and then attached to General James Clinton's Brigade, in New York State, was expected to form a junction with Hartley at Tioga, but for some reason failed to connect.—*Craft*.

¹² Generally known as the Green Rangers.

¹³ The next year was the Sullivan Expedition. Colonel Adam Hubley, who succeeded Hartley in the command of these same troops, said of this town, "since the commencement of the present war the whole has been consumed and laid waste partly by the savages and partly by our own people."

¹⁴ One of these muskets is in the museum at Towanda.

¹⁵ See Vol. IX, Wyoming Historical and Geological Society, p. 212, in which Mr. Craft gives a later description of this locality, according to personal investigation.

¹⁶ In Penna. Archives, Vol. VI, p. 773, may be found another and most interesting report of this expedition made by Lieutenant Hunter of Fort Augusta. Speaking of the attack at Wyalusing, he says: "The Indians had way-laid our People among a Parsel of Rocks, as they were marching through a piece of narrows." He gave great praise to both men and officers; said they brought in five Indian scalps, and that it was supposed the enemy followed all the way to Wyoming, as three men of Colonel Murray's command were killed and scalped near the garrison, October 3. Thomas Maxwell, in the notes for Schoolcraft, says that "Hartley's victory at Wyalusing frightened the Indians into sending all Tioga Point prisoners to Chemung."

Author's Addenda.

In addition to his report to Congress, Col. Hartley sent one to the Executive Council of Pennsylvania, saying:

"Anxious for the welfare and safety of those Frontiers, I wished if possible to draw the Savages to a greater distance. By acting on the Defensive only this could not be effected. I understood Cols. Morgan and Butler were acting against the Indians on the Susquehanna, this with our former Inclinations induced us to push an Expedition to Tioga & its neighborhood. * * Considering our numbers we pushed our good Fortune as far as we dare, we gave a present relief to the Frontiers & turned back the Barbarians from Deluging our Country with the Blood of Helpless Mothers & Infants. They are a strange enemy, they shun Danger when among us, but near their own Country they fight brave. * * It is too late for an Expedition against Chemung this Fall, we must only secure our posts for the Winter, & early in the Spring a body must march against their Towns on this River; there are more Indians within 150 Miles of this, then within the like distance from Fort Pitt where so many men are collected. I have wrote Congress to request that another Regiment should be sent to Wyoming—what I write may be relied upon. I could wish you would

second my proposal to Congress * * We are here on a Dangerous service, which gives few opportunities of gaining Laurels; we have a Vigilant & Dangerous Enemy, but it gives us pleasure to think we serve our Country & protect the helpless & innocent—I inclose a copy of an address I sent to the Indians."

It is to be regretted that this address cannot be found. How the sterling worth of this brave man shines forth in these reports! Even so long after, it stirs one's blood to read his simple, unaffected words, showing his bravery, his alertness, his willingness to serve in the lesser places, if thereby he could best further the interests of his country. Is he not as worthy of admiration as Sullivan, since this expedition was his own conception?

The Executive Council sent a special messenger to Congress to indorse Hartley's suggestion, but that it was not acted upon is proven by a second letter to Council the next month, November, 1778, in which he tells of new depredations and another advance on Wyoming, and an expected one at Sunbury; adding:

"Had regiments been sent to Wyoming *as I requested*, these calamities would probably not have happened. Should the enemy take Wyoming, New York, Pennsylvania and New Jersey will then too late think of its importance. I intended to have gone to Philadelphia, but am now determined to stay 'til the danger is over.—We are much in want of flour."

Council sent to this an immediate and reassuring answer, regretting the decision (or indecision) of Congress, and also that an expedition was not undertaken to Chemung "*by an enterprising officer. Your attempt that way does you honor.*" In a few days he writes again more reassuringly, having driven back the advance on Wyoming, recaptured the cattle stolen, etc., closing by saying bravely that he could manage the Indians in his vicinity well enough. In December the Executive Council, on motion,

"Ordered That the unanimous thanks of the Council be given to Col. Thomas Hartley for brave & prudent conduct in covering the North Western frontiers of this State, & expelling the Savages & other Enemies; and that he is requested to inform the Officers & Men who have been under his command that this Council is highly sensible of the difficulties and hardships of the duty they have performed, and the Courage & zeal which they have shown during the last Campaign."

At a later meeting it was recommended that Hartley's plan for defence of N. W. frontiers be approved and pursued, and evidently without delay, as correspondence ensued that indicated immediate preparations. January 10, 1779, Lt. Col. Zebulon Butler, in response to a letter from Gen. Hand, writes:

"Westmoreland, Jany. 10, '79.

"Honored Sir:

"Rec'd yours of ye 17th Dec. 1778 on the 4th Jany. 1779. Immediately Sent over Express to Sunbury, who Returned this day with the Inclosed Letter from Capt Stoddard who Commands there in Col. Hartley's Absence. 'Sr. I'm verry happy to find that A Gentleman of Your Character is Appointed to the Command of these frontiers. Shall always be happy in Receiving and Obeying your orders. Inclosed I Send you the Returns of the Strength of this place as to men Ammunition &c. The Distance from this place to Chemong is About 100 Miles, the Rode impossible to pass any other way in the Summer Season than by pack horses or boats, and I think it Not possible to pass either way at this Season, with any Sufficient Quantity of provision for an Army Sufficient to go against Such an Enemy We provirbly Shall meet with. The Ice in the River is

such that we cannot pass by Water, and the Cricks are Numerous and uncertain Passing at this Season the Depth of the Snow is Usually from 15 Inches to two feet Deep. Snow Shoes will be Necessary and Can be had Hear if men Can be Procured to make them as the Commissary has A Number of Raw Hides. If from those Representations your Honour should think A Winter Expedition was not practicable I Would propose Whether (after your Knowing the Quantity of provision &c Your Honour Would Not think it best to send 100 or 150 more Men hear for Winter-Quarters. Barracks can be had for them the last Letter I had from Col. Hartley he Informed me that A Regt was coming to this post and the board of War had Directed him to make the following Arrangement—viz. that is if a Reinforcement of Troops Come to this post that the Detachments from his Regt at this post and at fort Jinkins join the Reg't at Sunbury. Fort Jinkins is a post Kept with About 50 men on this river About 38 miles Down from this post and that the Troops that came here should Garrison this post and fort Jinkins, but Your Honour Can order them affairs as you think proper.

"The Express I send you I have ordered to return to me as Soon as possible after you Dismiss Him.

"I am with Esteem Your Honour's

"Most Obt Humble Servt

"ZEBN BUTLER

"Lt Col Comdg"

"N. B.—If You should think Best I will be preparing for Boats. Desire your Directions and I think it my duty to Let you know that Letters of Consequence should not be trusted to the Care of Col. Stroud. Wheather through Inattention to publick Business, or Design or multiplicity of private Business I Can Not say but the Letter from Your Honour to Col Hartley and myself Lay at his House till the first Jany 1779 and that is not the first time he has Done the like.

"Your Humble Servt

"ZEBN BUTLER"

"To the Hon Brigadier Genl Hand Minisink."

Some additions to the story of Hartley's expedition may be found among the correspondence of Col. Zebulon Butler, published in Vol. VII. Proceedings Wyoming Historical and Geological Society. Here are several letters from Hartley, written before the expedition, saying he was "collecting a clever body of men" at Muncy; ordering some troops from Wyoming to join him at Wyalusing, which was his first plan, evidently advising that they should march in ignorance of their destination in order to deceive the Tories, etc. Mentioning that the combined troops should proceed against *Chemung*, where he understood were many Indians and Tories, and most of the plunder taken at Wyoming, adding, "I mean that this Town should be approached by the Lycoming Path to the mouth of Tawandie and that the Town should be attacked, & if possible Destroyed, & that the Troops should Sweep the Country down to Wyoming. This will give relief to our Frontiers & intimidate our Enemies." October 3, Col. Butler's Orderly Book (published with correspondence) mentions Col. Hartley's returning thanks to members of the expedition, who made no complaints and "acquitted themselves with the Highest Reputation," "and they have this further Satisfaction to know they have Saved the Lives of many and Served their Country." Special mention is made of several, as of "Capt. Franklin with his Volunteers;" and various promotions were suggested.

The following letters of still greater interest, because of their personal character, are in the Mss. collection of the Historical Society of

Pennsylvania, access to same having been given by the courtesy of Dr. John W. Jordan, June, 1907.

September 2, 1778, Col. Hartley writes to Anthony Wayne, saying: "We would have gone on expedition sooner, but I was not well enough." The expedition is mentioned as planned to go from Muncy to *Wyalusing*. He congratulates Wayne on his promotion, saying he had hoped to be his companion in arms, and adds:

"Fate ordained that I was to go to make war on the savages of America instead of on Britain."

On the same day he wrote to Thos. McKean:

—"From an examination of the maps these Frontiers are much exposed to the Depredations of the Savages—I intended last week to have made a push against *Wyalusing*, but found my strength inadequate. Inhabitants can grant no assistance. I have not given up the Notion of *Wyalusing* yet, and am preparing to send a party against it. We shall gain neither honor or laurels on these frontiers, but we have the satisfaction to think we save our country. It is expected that his Excellency will send a force of sufficient strength—to go and destroy the Towns in the Neighborhood of Tioga this fall yet—this should be done soon—bad weather is approaching—I have heard old stories of British Humanity—but it seems to be banished from the nation at present—with the Lads I have to deal with we expect none—Is there not some chosen curse—some hidden thunder in the stores of Hell—red with uncommon wrath to destroy the monsters who make use of such instruments to establish their Tyranny?"

"Oct. 30.

"Dear Genl. (A. Wayne)—You will hear of a splendid expedition we have had up the waters of the *Susquehanna*—In the actions we had with the savages I never saw better choices of ground than they made to attack on—but the last time we outmanouvered them. It is hellish work to be fighting those devils."

These letters to Wayne (hitherto unpublished) show the character of Hartley—brave, ambitious; yet submissive to the call of duty. They are also of interest as showing the contempt of a brave man for British methods of warfare.

This account of the expedition was also found in the Hartley Collection of Historical Society of Pennsylvania. Believing it to have been hitherto unpublished, it is here inserted; as, while there is some repetition, there are some concluding observations of importance:

"Fort Augusta 7th October 1778

"Sir

"The 5th Inst. Coll. Thomas Hartley Returned from an expedition he carried on against some of the small Indian Towns on the North Branch of *Susquehanna*, where he was informed there was a party of Indians and Tories Assembled, but they being appraised of Coll. Hartleys march by a party of Warriors he met coming to the West Branch; Whome our People fired upon and shot their Captain dead upon which the Indians fled Imediately and alarmed the Towns Coll. Hartley was Bound for, so that they had time to put their families and chief part of their Effects out of the way before he arived there, and when he came to *Tiaoga* where he took some Tories Prisoners, they informed him that there was a Town calld *Shamung* about ten or twelve miles from there where there was a Body of Indians Tories & Regulars in Garrison as good as Six or seven Hundred, Coll. Hartley after Consulting his Officers thought it most Expedient to Return Back without Attempting *Shamung*, and so after destroying *Tiaoga* & *Shesiken* and bringing off fifty or Sixty Head of Horned Cattle and some Horses they got there beside several other articles our People Brought with them in Canoes,—

"In the meantime the Indians was Collecting a party to intercept Coll. Hartley on his march to *Wyoming*, which they accomplished and fired on our

People in front in this side of Wyaloosing, where the Indians had waylay'd our People among a parcel of Rocks as they were marching through a piece of Narrows along the River side, but Coll. Hartleys People Returning the fire briskly made the Enimy Give Way, and marched but a little ways further when they were fired on again in the Rear and after a brisk firing on Boath Sides for Some time the Enimy Retreated—

"It must be acknowledged our People behaved with Courage and Conduct, in bringing off their Wounded all their Cattle and pack Horses, suppose the Enimy followed all the Way to Wyoming and scalped four of Coll. James Murrays men after they arived there, as for a more minute account of this Expedition I Refer you to Coll. Hartleys own Letters to the Board of Warr & Executive Council—

"But in the whole it was well Conducted considering the number of men that went with Col. Hartley, not above two Hundred and fifty which shows that Officers and men behaved with spirit in bringing with them five Indian scalps besides several more of the Enimy Killed. Col. Hartley's loss was seven killed and Eight wounded including those that was killed at Wyoming.—

"As for the Inhabitants of this Country they seem very much afraid at present, hearing of such a large Body of the Enimy being so nigh as Shamung, and all the Militia that was here from Lancaster County & Berks gon, as their times was Expired, and none here but part of Col. Hartleys Regiment, sixty men of Col. James Murrays Company of Six Months men, and about one Hundred of our own Militia which is doing Duty in several parts of this County, which is no way adiquit to the security of the same, as I am certain the one half of this County is left Vacant and not more than one third of the Inhabitants that lived formerly here is puting in any fall Crop this year, so that Distress & misery must Ensue—if no Continental Troops is Ordered up here this fall nor no Militia from other Countys Bordering of us, I am afraid a number of those that has brought their familys Back will leave the County again."—

Tioga Point continued to be a rendezvous even after Hartley's destructive visit. It was from here that the party descended on Wyoming early in November, 1778, that imprisoned Frances Slocum, whose story is world-famous. Many other depredations were committed along the New York frontier. In the diary of Capt. Warren¹⁷ it is written "an express arrived from Fort Schuyler informing that one of the Oneidas was at a council of war of the enemy's, in which it was determined to visit Cherry Valley." It is said this message was from Colonel Gansevoort, and stated that said council had been held at Tioga Point, a great meeting—the Oneida said.

The massacre of Cherry Valley is supposed to have been the outcome of a revengeful scheme of Captain Walter Butler. While the great Chief Brant opposed it, he was compelled to yield, especially as many Indians were eager to participate. The expedition, like that of Wyoming, started from Tioga Point, marching *up* the Susquehanna, and receiving recruits along the route. The force was 800 strong, said to consist of 600 Indians, 150 Tories, 50 British soldiers and 4 officers. The settlement was attacked November 11, 1778, and the Indians practiced the most inhuman barbarities, *to which they were incited by the Tories*. As for the leader, Walter Butler, Brant said of him he was "more savage than the savages themselves," and that "*the Senecas would kill their friends for the sake of plunder.*" Many settlers were made prisoners and were taken on rafts and canoes down the river, "the usual route," to Tioga Point, whence the whole party proceeded to Kanadesaga, en route to Niagara. It was the very same week of

¹⁷ This diary is in the Spark collection of Harvard University.

this massacre that Hartley reported to Executive Council that the enemy were in force between Fort Jenkins and Wyoming, intent on plunder, evidently expecting the frontiers to give way, also that he was "*hastening to relieve Wyoming, although he was weak.*"

The year 1779 was no better. At its opening the Oneidas, who were generally friendly to the Americans, sent word that Brant was planning further expeditions. Throughout the entire spring hostilities were incessant. From Oquaga, where Brant had his headquarters, various attacks were made on New York frontiers; Stone Arabia, Fort Plain and Schoharie with, however, little damage. Other bands of Indians made successive raids into Pennsylvania from Tioga Point; for while Hartley destroyed the old town at the confluence of the rivers, he did not frighten the Indians away from their old rendezvous at the neck of the peninsula. July 20, Brant attacked Minisink with 60 Indians and 27 *Tories disguised as Indians*. The settlement was destroyed, there was great loss of life, and Brant, after a brief raid on the Mohawks, retired to Tioga with many prisoners and considerable booty. But this time his stay was of short duration. For all these border raids and depredations in New York and Pennsylvania had at last awakened Congress and General Washington to the danger threatened, and with the opening of the year 1779 the warnings and suggestions of Armstrong and Hartley were heeded, and consideration was being given to the invasion of the enemies' country, now known as "the Sullivan Expedition," the object of which, according to Colonial records, was

"To carry war into the Indian country so as to strike a terror into the Savages, and endeavor to encourage the inhabitants to hold their ground if possible."

The Sullivan Expedition.

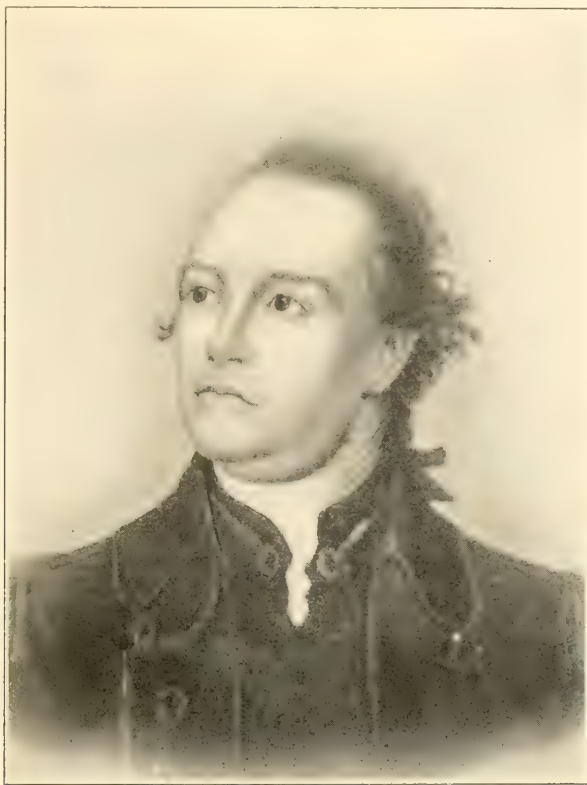
It should be a matter of local pride that the Sullivan Expedition, though previously ignored or slightly treated, has at last taken its proper place in history. For unquestionably the men who suggested and brought to perfection the Centennial Celebration of the battle of Newtown (held on the battlefield in 1879) were directly active in effecting a correct appreciation of that noble undertaking. The honor roll should specially include in this locality Judge Warner of Waverly and Rev. David Craft of Wyalusing; the former interesting the public and inciting to action by his newspaper sketches; the latter being largely instrumental in bringing together, *by painstaking research*, many of the journals of soldiers of the expedition, now embodied in the well-known New York State publication.

Nor did Tioga Point fall behind in enthusiasm, as was evinced by the well-drilled company "Franklin Guards," named for the hero, Col. John Franklin, whose home and grave are in our borders. Clad in their old continental uniforms, and skillfully drilled by their captain, Charles T. Hull, they played no insignificant part in the drama of the day.

Since that Centennial Celebration the expedition has been so often presented in essay, lecture and printed page that our thought has been

to gather material overlooked or seldom used; especially that concerning Fort Sullivan, and the army's sojourn here. Not that we by any means wish to belittle the great enterprise, but rather to have our readers bear in mind the summary of the latest historian of the expedition, Dr. William Elliott Griffis:

"We do not hesitate to say that the expedition of 1779 was one of the great episodes of the Revolution, to be reckoned in its decisive influences with Trenton and Monmouth, and second only to Saratoga and Yorktown; and we place Sullivan only after Washington and Greene."



John Sullivan Major

We assume that it is now generally known that from the time of the terrible attacks on Wyoming and Cherry Valley, Washington and several other commanders, notably Armstrong and Hartley, felt that a decisive blow must be struck to intimidate the savages and weaken the British, who, using the red men as allies, incited them to commit the terrible depredations already cited; *and always acted in conjunction*

with them. Washington was also well aware that the fertile valleys of New York, being nearest the British frontier, were the gardens of supply for the British army. There their Indian allies had great plantations of maize and other vegetables, and fruitful orchards. Having control of all the streams that united in the Susquehanna and Delaware, these allies were always able to descend quickly in their swift canoes to harass the frontier settlements, if not the army. Therefore, when Congress awakened to the necessity, an expedition was planned to invade New York State and destroy the homes, and the sources of supply at one blow.

It was none too soon. Already the British had built store houses (where Geneva now stands) in the midst of the orchards and cornfields.

General Gates had proven far from efficient in his defence of the frontiers; and while courtesy demanded that the command of this expedition should be first offered to him, undoubtedly Washington in his secret heart hoped that he would pass on the letter and the command to the younger and more efficient Major-General Sullivan.¹ For this expedition, as Craft has well said, was:

"To solve the question whether the American Indian with his deeply rooted prejudices, his unconquerable aversion to civilization, and his undisguised hatred for the religion and culture of the European was longer to stand in the way of human progress."

Congress having come to a decision, and given the order in February, Washington at once planned to make the attack from three points simultaneously; Easton, Schenectady and Pittsburg; the troops from two latter points to join the main army under General Sullivan at *Tioga Point, once more the strategic point in a great undertaking*. Dr. Griffis says "it was Washington, who insisted that the artillery should be taken, despite jeers and criticism." While Washington's early training had been in encounters with the Indians in the forest, and he knew the demoralizing effects on "the lurking savage" of shot

¹ John Sullivan was born of Irish parentage at Somersworth, N. H., February 17, 1740. Though poor and obliged to work as farmers, both he and his brother early showed an ambition for education, which ambition carried them to Boston, where both were soon employed by a lawyer; John as clerk and his brother as general assistant. Both studied for the law and were admitted to practice, the brother, however, proving the better lawyer. While John rose to be Major General his brother became a Judge. An interesting sketch, published in the *Athens Gleaner* of April, 1871, tells about these brothers, and of their mother, who (in a gathering of women, where she was evidently a partial stranger) was questioned about her Irish origin in a slighting manner. The brave and proud little woman, whose sons had already risen to distinction, answered: "Yes, I come to give you Judges and Generals."

Before entering the army John practiced law at Durham, N. H., where he lived and died. He was an active patriot, representing New Hampshire in the first Continental Congress. In December, 1774, four months before Lexington, he led a party in a successful attack on a fort at Piscataqua, the first open act of hostility against royal authority. He resigned his seat in Congress to enter the army, and was at once assigned to the command of a brigade. He was very active in service, and won the approval of Congress even in defeat, also various promotions. The command of the expedition of 1779 was first offered to General Gates, who having refused, it was tendered to Major General Sullivan, whose skill and faithfulness in executing Washington's commands was as much blamed as praised. Hartley conceived every detail of his smaller expedition and executed them in freedom. But with the larger one, as it had been long under consideration, every detail *except emergencies* had been arranged by Washington himself, as proven by his own letters of instruction.

Sullivan, however, rose to the most unexpected and harassing emergencies from the inception to the end of the expedition. It was similar in its attempt, success and effect to Sherman's famous "March to the Sea." Small wonder that the hardships and exposure added to arduous service for five years previous, shattered the health of the able commander. He tendered his resignation in November of the same year, Congress expressing regret at the loss of so gallant a soldier. However, he was not allowed to remain in retirement, but as long as he lived was continually called to fill public offices of trust and distinction. His death occurred at Durham in 1795, when he was but fifty-four years old. Not

and shell, letters in existence indicate that it was General Hartley's advice and recommendation that led to including the artillery.

Washington's first letter to General Sullivan is here inserted as giving a correct insight into the inception of the expedition, which, in Washington's words, was designed for "the total destruction and devastation of these settlements":

"Head-Quarters, Middle Brook, March 6th, 1779.

"Dear Sir:—

"Congress having determined upon an expedition of an extensive nature against the hostile tribes of the Indians of the Six Nations, the command is offered to Major General Gates as senior officer, but should he decline, it is my wish that it should devolve upon you. That no time may be lost by Gen. Gates' non-acceptance, I have put this letter under cover to him, and have desired him to forward it to you, should that be his determination. Should it therefore be sent to you, I must request you to set out as speedily as possible after the receipt of it, to Head Quarters, as the season is already far advanced. Upon your arrival the whole plan of the expedition shall be communicated to you and measures concerted for, carrying it into execution.

"Nothing will contribute more to our success in the quarter where we really intend to strike, than alarming the enemy in a contrary one, and drawing their attention that way. To do this you may drop hints of an expedition to Canada by way of Coos. This will be the more readily believed as a thing of that kind was really once in agitation, and some magazines formed in consequence, which the enemy are acquainted with. You may also speak of the probability of a French Fleet making its appearance in the Spring, in the River St. Lawrence, to co-operate with us. It will be a great point gained, if we can by false claims, keep the force ready in Canada from affording any timely assistance to the Savages, Refugees, and those people against whom the blow is levelled.

"I would wish you to keep the motive of your journey to Head Quarters a secret, because if it is known that an officer of your rank is to take a command to the westward, it will be immediately concluded that the object must be considerable.

"I am with great Regard,

"Dear Sir,

"Your Most Obedient Servant,

"GEORGE WASHINGTON."

"Major General Sullivan."

forty years old when he was so successful a commander. The portrait of him here reproduced is now in the possession of the Wyoming Historical Society, although, by the courtesy of Charles F. Murray, this copy was presented to the Tioga Point Museum at an earlier date. It plainly shows the fearlessness of the sprightly young Irish-American, whose name is graven on the roads, streams, streets, etc., along the route carved out by his army. Fort Sullivan is also a name of which Tioga Point will ever be proud, and which, by the enduring monument erected by the Tioga Chapter, D. A. R., in 1902, will be immortalized. There is in the Tioga Point Museum a picture of Sullivan's home and of his monument at Durham, N. H., reproduced in the "Records of Fort Sullivan"; also a tile from his fireplace, various relics of the sojourn here, and of the battle at Newtown. November 12, 1907, a most interesting celebration was held at his grave, under the auspices of the Sullivan Committee of the Women's Club of Durham. "His burial was performed under stress of indignities heaped upon his remains by his creditors." Therefore, since he is now better appreciated, appropriate commemorative services were held, and the honors of a military burial were bestowed by representatives of the United States Army and the New Hampshire National Guard. Civic honors were also bestowed by the establishment of a fund to rehabilitate the grave and the inclosure. After the ceremonies at the grave, in which all Durham, even the children, participated, appropriate exercises were held in the Congregational Church, whose pastor had been active in rousing interest. The chief address of the day was delivered by Dr. William E. Griffis, who may well be called the latest historian of the Sullivan Expedition, as Rev. David Craft was called the first. These exercises show a proper appreciation at last of the man who added much historical fame to Tioga Point.—It is the ambition of the Tioga Chapter, D. A. R., to have a complete collection of papers and curios pertaining to Sullivan, the expedition and the fort, and it should be their privilege to mark the spot where the soldiers were buried.—The autograph of General Sullivan is taken from a letter or order of October, 1778, recently presented to the author.—At the time of the publication of this book a daughter of one of Sullivan's soldiers is still living in Athens, Arletta Taladay (Northup), daughter of Solomon Taladay, who was almost the last survivor of the Revolution at Tioga Point.

Washington and Congress decided that one-third of the army, 5,000 men, should be detached for this endeavor. Naturally many of the plans had soon to be made public and preparations went busily forward.

When it became generally known that so large a force were to engage in this expedition, there was general alarm along the frontiers, and many letters of protest and complaint were addressed to those in power, in state and army. The following, found in Pennsylvania Archives, is most amusing in suggestion:

"WM. McCLAY TO COUNCIL, 1779."

"Sunbury, April 27th, 1779.

"Sir,

"As a Multitude of Letters will pour upon you by this Express, I shall not enter into particulars, respecting the miserable situation of this Country; let it suffice to say that almost every Hour for Three days past, we have had fresh alarms of the Enemy. Massacres and Depredations have been committed at Wioming, Fort Jenkins, Fishing Creek, Freeland's Mills, Fort Muncy, and Loyal Sock, almost at one and the same Time. We expect every moment to hear of their nearer approach. The Whole Force of the Six Nations seems to be poured down upon Us. How long we will be able to bear up under such complicated and Severe Attacks, God only knows. I much fear that the spring Crops will be lost, so That, in all probability, want of bread will be added to our other Calamities. The General Cry up here is for Men to protect the Inhabitants; I, however, believe the most effectual way of taking off the Indians will be to *carry an Expedition immediately into their Country*. General Washington's whole Army would not effectually secure our extended and thinly settled Frontier.

"I have sustained some Ridicule for a Scheme I have long recommended, Viz., that of hunting the scalping parties of Indians with Horsemen & Dogs. The imminent Services which Dogs have rendered to our People in some late instances, seem to open People's Eyes to a Method of this kind. We know that Dogs will follow them, that they will discover them and even seize them, when hunted on by their Masters.

"History informs us That it was in this Manner That the Indians were extirpated out of whole Countrys in South America. It may be objected That we have not proper Dogs. It is true that every new thing must be learned; But we have, even now, Dogs that will follow them, and the arrantest Cur will both follow and fight in Company. I cannot help being of opinion that a Single Troop of Light Horse, attended by Dogs, (and who might occasionally carry a footman behind them, that the pursuit might be interrupted by Morasses or Mountains,) under honest and active officers, would destroy more Indians than five thousand Men stationed in forts along the Frontiers; I am not altogether singular in this opinion, could not such a thing be tried?

"If you have Leisure I would be glad to receive a Line from you. It will find me at this place, unless Times grow very bad indeed.

"I am, Sir, with great Regard,

"Y'r very H'ble Serv't,

"WM. McCLAY."

The main body of the army was congregated at Easton during the late spring and the troops literally carved their way through the wilderness as far as Wyoming. Col. Franklin's diary (we think hitherto unpublished) says:

"June 23 General Sullivan arrived with 1500 troops, We hear of a boy being Killed and 3 young women taken near Col. Stroud's."

At Wyoming many weeks were spent, and there were most vexatious delays, trying the patience of all concerned; but General Sullivan proved superior to all annoyances and equal to all emergencies. Penna.

Archives, Vol. VII, gives an idea of the difficulties he experienced. The supplies were to be started in wagons; none were in readiness. Sullivan and Hartley both requested authority to impress any wagons to be found, and ran up against foolish official red tape. "The State law prevented impressing them into service." Whereupon Sullivan humbly apologized. After much delay they were forthcoming, and then there proved great scarcity of forage for the horses. Yet, even with all this delay, it was feared the stores might reach the river before the arrival of the troops detailed to guard them. According to some of Sullivan's soldiers who settled in this vicinity, the bateaux used for transportation were built at Marietta, and a channel had to be cut around Kanawagha Falls to bring them up the river. Nathan Beach gives further information about the boats:

"In June 1779 I entered the boat department. Boats were built at Middletown, Dauphin Co., called *continental boats*, built to transport baggage, provisions, etc. for Sullivan's army. * * * I steered one of these boats to Tioga Point, discharged loading and returned to Fort Jenkins."

Complaint was made because the quartermaster offered extra pay with rations to secure boatmen, leaving the lower counties without sufficient protection, and even at the very moment of departure, judging from the annexed replies, Sullivan had some personal appeals to abandon the expedition and hasten to the defence of the lower frontiers.² But he had quite enough to do to make ready his expedition. It was no small undertaking to provide clothing, food and transportation for such a force of infantry, artillery, riflemen and several hundred non-combatants; boatmen, axemen, carpenters, sutlers, and the necessary quota of women and children. Some of the friendly Oneidas were enlisted as guides; for except for the knowledge gained from Hartley, the army was about to enter an unknown wilderness. About 1800 horses were required for cavalry and packhorses; and probably about

"Head Quarters, July 30th, 1779.

²"Sir: Nothing Could afford me more pleasure than to Relieve the Distress'd, or to have it in my Power to add to the Safety of your Settlement, but should I comply with the Requisition made by you it would Effectually answer the Intention of the Enemy, and Destroy the Grand Object of this Expedition. To morrow the Army moves from this Place and by Carrying the war Immediately into the Indian Country, it will most Certainly Draw them out of yours. For your present Safety I must refer you to the Council of your State for assistance, Certainly it will be granted without much inconvenience as the State has neglected to furnish the Troops promis'd for this Expedition.

"I am Sir, your mos. ob't, h'ble Serv't, JNO. SULLIVAN."

"A True Copy By Matt'w Smith."

"Directed."

"On Public Service."

"To Colo. Jno. Cook, D. Q. M. G., Northumberland."

"Head Quarters, Wyoming,

"July ye 30th, 1779.

"Sir: Your Letter dated the 28th Inst. I rec'd this Day, with the Disagreeable intelligence of the loss of Fort Freeland, your situation in Consequence must be unhappy, I feel for you, and could wish to assist you, but the good of the service will not admit it, The Object of this Expedition is of such a nature, and its Consequences so Extensive, that to turn the course of this Army would be unwise, unsafe & impolitic.

"Nothing can so Effectually draw the indians out of your Country, as Carrying the War into Theirs, Tomorrow morning I shall march, with the Whole Army for Tioga, and must leave you to call upon the Council of your State for such assistance as may serve to Relieve you from your present perilous situation. As Pennsylvania has neglected to furnish me with the Troops promised for this Expedition, she Certainly will be enabled to Defend her Frontiers without much inconvenience.

"I am Sir, your mos. ob't, Humb'e Serv't, JOHN SULLIVAN."

"P. S. The above is a true Copy of major General Sullivan's letter to me.

"SAM'L HUNTER."

500 boats, large and small, (though this number may include the 212 boats of Clinton). When ready to move, the flotilla of batteaux, spreading out over a mile, were loaded with the artillery, ammunition, heavy baggage and the reserve supply of provisions, 1000 men and, undoubtedly, the women and children; while by land were to go 3000 or more men, the packhorses, and several hundred cattle to furnish fresh meat. The start was made July 31, 1779. About the same time Col. Brodhead with his small force, the left wing, started from Pittsburgh, his task being to penetrate northwestern Pennsylvania and southwestern New York, destroying all Indian habitations on the way. His work was most effective in engaging many Indians in defence of their homes, who would otherwise have been with Brant, Johnson and Butler. Brodhead never joined Sullivan, doubtless because his couriers were nearly all killed by the watchful savages. At the same time General Clinton marshaled his forces, built his boats; and transported them and the supplies *by wagon* over a rough road to the head of Otsego Lake (the source of the North Branch of the Susquehanna); and coming down the lake in boats, encamped at Cooperstown to await orders from Sullivan. Also to construct a dam to flood the river; for the practiced eye of Clinton soon saw that the stream was too shallow for his boats, and so, resorting to mechanical strategy, he built a dam, and when ready to depart cut through it, releasing waters and making a flood on which his fleet floated safely down towards Tioga Point.

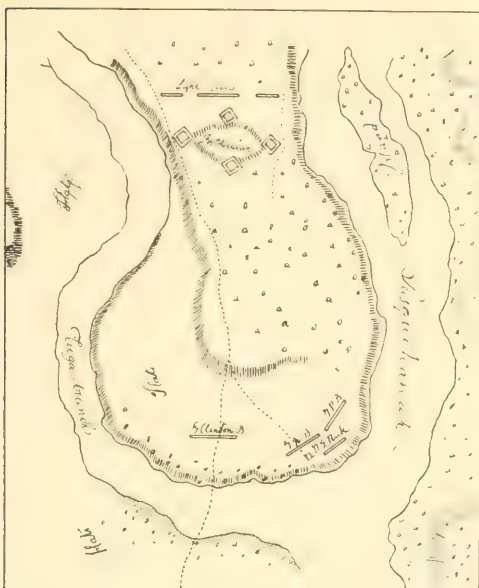
On July 31,³ as aforesaid, the main force was fully *en route* from Wyoming, again to carve their way through almost inaccessible forests and over steep mountains, although they had an Indian trail to guide them; for Sullivan's route was now over the "Great Warrior Path." The story of their progress has often been told; and their approach to and arrival at Tioga Point has been gleaned from the various journals, and embodied in the pamphlet entitled "Records of Fort Sullivan."

Although it is nearly seventy years since Miner published the journal of Colonel Hubley, neither he nor any succeeding writer has ever indicated that the original Mss. was teeming with most interesting pen and ink sketches. Observing the legends throughout all copies of the journal, we were on the lookout for the original, when its whereabouts was made known to us by Mr. Harvey as in the collection of the Historical Society of Pennsylvania, by whose courtesy we have made several examinations, and had some copies made of various sketches, tracing one used ourselves.

The Hubley sketch No. 1, of Fort Sullivan and the Point, shows the arrangements of camps around the Point on the ground cleared and cultivated by the Indians. It also shows the Light Corps across the Neck, about where the boulder stands, and indicates the palisades of Fort Sullivan, as the sketch No. 2 does not. The No. 1 was *photographed* for Mr. Harvey's History, and both traced for this history; the tracing does not show the age as the photograph does. Vain effort

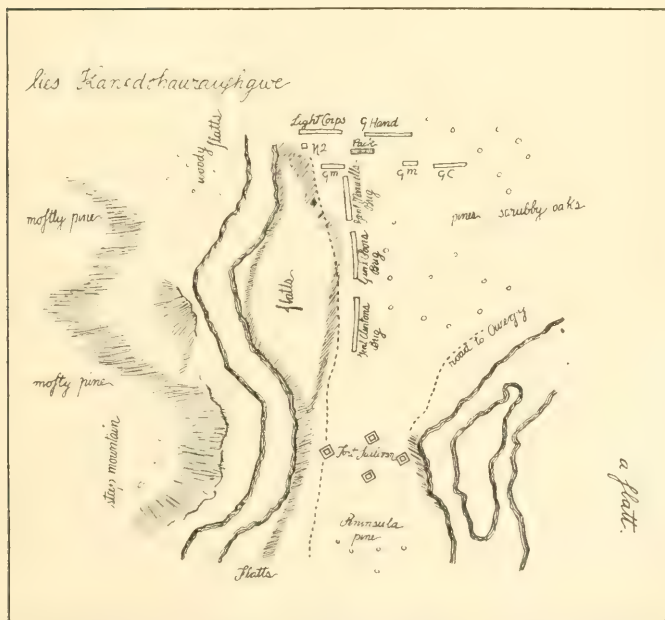
³ Brant's last attack on Minisink with sixty Indians and twenty-seven Tories disguised as Indians, was made in July, 1779, a well known occurrence. The prisoners, as usual, were driven to Tioga Point, but, hearing that Sullivan might be at "Shemong," Brant sent his party speedily across country to Niagara, evidently not even investigating "Shemong."

I



"FORT SULLIVAN AND TIOGA POINT"

II



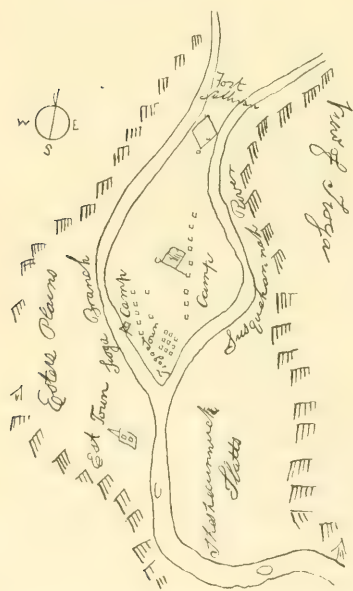
"SCETCH OF ENCAMPMENT—UPPER END OF TIOGA AND ADJACENT COUNTRY"

Copied from Col. Hubley's Journal, by courtesy of the Historical Society of Pennsylvania.

has been made to learn the meaning of Kanedohauroughwe, a word we have never seen elsewhere. The number of these sketches is great, and answer some perplexing questions. Those of Buttermilk Falls and of the Standing Stone are very interesting. The order of march is several times fully portrayed, and there are many drawings of camp sites. At Wyalusing, between the mouth of Wyalusing Creek and Sugar Creek; at Wesauking, between the swamp and the creek; at Sheshequin, right along the river, *rapine showing at back*. There is a map showing whole line of march from Wyoming to mouth of Tioga. The end of the journey, supposed to be location of the fort, is exactly in narrowest part of neck of peninsula, *opposite* broadest place in island. But there are other local sketches of great value. There is a careful one of "Order of March up Tioga Flats" after fording river from Sheshequin. These are really Queen Esther's Flats.

As Dr. Griffiths says, "Sullivan did not prepare to be Braddocked," therefore a careful order of march was observed whenever the country permitted. According to Hubley's sketch, the packhorses and cattle were placed in the center, with a rear guard accompanied by a regiment, giving the Indians no chance to stampede the horses. In front came the vanguard of 24 men; the light horse under Gen. Hand on the river side in sight of the boats, two bodies of "Flankers" on the other; Col. Hubley's regiment and German regiment next, side by side; then Gen. Maxwell's brigade, followed by Gen. Poor's brigade in advance of the horse and cattle. Two three-pounders, taken from the boats,

protected the light troops. Imagine this great army marching up the Flats through the long grass. "Drums were beating, fifes were playing, colors flying." A splendid sight, terrifying to savage onlookers. Now once more fording the river, they reach the site of old Te-a-o-ga, and the busy bustle of camp-making begins. Small matter that they have twice waded the river and are drenching wet; the August sun is hot, and they are soon dry. The soldiers swarm over the plain on the Point, for here most of the land has long been cleared. (Here is given a sketch of the camps made by Nukerck, one of the soldiers. In the shape of the Point it is more exact than Hubley's, but somewhat hazy as to block houses of Fort Sullivan.) But it is deemed wise to take the boats and some troops up the river further, to the narrow neck of land known by the name of the "Carrying Place." Here the



NUKERCK'S SKETCH OF THE CAMP

fort was to be built to protect the fleet during the absence of army, to guard the ammunition, and to provide a hospital for the sick and wounded. Once again Tioga Point becomes important, with a great army of 5000 men encamped on it, awaiting the arrival of Clinton. A few extracts from Franklin's diary here, never published: "August 11th. The army reached Tioga. In the evening I went with Jenkins and others to reconnoitre Chemung. 13th. *Action at Hog-back Hill.* I was wounded. 22d. Sunday General Clinton arrived, 1800 strong. 26th. Army marched. 28th. Battle at Newtown. Oct. 7th. Army returns."

Rev. Wm. Rogers says:

"The light troops proceeded further on, one column on bank of Susquehanna, another on Tioga banks. Having advanced a mile and better, our tents were pitched from river to river judged to be 200 yards. Just below our encampment we took a view of the Indians' carrying place 13 yards across, so called from their carrying or dragging their canoes from river to river."

The artillery⁴ was placed from river to river, about where boulder now stands, and later along the east bank of Chemung from Museum-Library northward. There are many facts as to location to be gleaned from careful inspection of Hubley's sketches.

And now to the building of Fort Sullivan, which was slightly treated in the publication "Forts of Pennsylvania." If it was not permanent, it was of the greatest use while it existed. Its construction began August 12, the day after army's arrival; it consisted of four block houses and a palisade connecting them. Two of these block houses were on the rivers and two half way between, as may be seen in Hubley's sketch, also that it was not an exact diamond in shape. It was so built as to cover the old Indian portage for canoes, which path came up the bank of the Susquehanna at the back of present property of Misses Snell, and passed northwest to Chemung. The river block houses were at the bank of the old G. A. Perkins property at east, and just south of Chemung bridge at west. The exact location of the north and south points cannot be definitely determined, unless from sketch, although they must have been about in center of Main Street. All this work was done with green timber, possibly cut on the Point. A block house was a double-storied structure, perhaps 20 feet square below, and the upper story generally projecting over the lower about two feet, so that the inmates could shoot from above upon an enemy attempting to fire or climb its walls; sometimes there was a sentry-box on top. No description of these at Fort Sullivan is known to exist. In 1853, when 91 years old, John Shreve, son of Col. Shreve, who had charge of building the stockade, thus describes the work⁵:

"The Fort was called Fort Sullivan nearly four square, about 90 yards one way, and a little under the other way, stockade made by digging a tunnel 2½ ft deep, and placing upright-logs in the trench about 12 ft high, leaving 2 or 3 gateways."

⁴ The artillery consisted of two howitzers, two six-pounders, six three-pounders and the cohort.

⁵ From a letter in the Herrick Collection, copied from Shreve.

Lieut. Beatty calls it a "*very strong picket fort*," which would indicate that the logs were sharpened at end. Beatty also mentions "*very good Abattis and the 4 Block houses for the 4 Bastions which commanded the river.*" Abattis were generally piles of trees, with sharpened points laid outward; a great addition to fortification.⁶ Surgeon Campfield says the fort was garrisoned by the invalids and the boatmen, and that there was left all unnecessary baggage, the women and children, and two six-pounders. Besides the large cannon, the army had a cohorn or unmounted gun, which, when in use, was mounted on a rough saw-horse, giving it the amusing name of "Grasshopper."⁷ The flying hospital was removed to the garrison when the army moved. August 16 the fort was named Fort Sullivan, "*out of respect to the illustrious character who with his army first took possession of this post on behalf of the United States.*" And thus the white man's claim to Tioga Point was forever established! Lieut. Shute and Capt. Handy began the work, Capt. Hollandshead and Gifford completed it. Probably a rough hospital was erected within, also cabins for the women and children. Near the center of the fort was doubtless a sunken magazine for ammunition, for when in recent years water-pipes were being laid to the tannery, at the intersection of Main and Tioga Streets, was found, some feet under ground, remains of a timbered pit, carefully examined by M. P. Murray.⁸

Life went busily, and generally gaily, on in the camp, pending the arrival of Clinton. Probably every one was fatigued after the day and *night* spent in making flour bags from the tents, for the flour had been brought thus far in barrels on the boats, and must now be put on the pack horses.

Sullivan became very uneasy at the non-arrival of either right or left wing, and on August 16 he sent Generals Hand and Poor with 900 picked men to meet Clinton. Brant had threatened to meet and destroy Clinton's force, but that was not to be. August 19 the two forces met at the town west of Binghamton since called *Union*. No doubt it was a joyful meeting. All now turned toward Tioga Point, burning Owego, a good-sized Indian town, on the way. They arrived at "Tioga" about noon on Sunday, August 22, and had a royal welcome, a salute from 13 pieces of cannon, returned by Clinton's two little pieces. "Gen. Hand's Brigade under arms, with a band of music," were probably lined up along the bank of the Susquehanna. Fancy pictures them as standing all along the bank, about where the old Academy is, and down past the partially completed stockade. The

⁶ Solomon Talady, one of Sullivan's soldiers, gave to E. H. Perkins some account of Fort Sullivan not recorded. He said a gun was mounted on each block house commanding the approach of the enemy. He also said several soldiers were buried within the fort in front of the lot now owned by the Misses Snell (1907). This was corroborated in Talady's lifetime by finding three skeletons there when working the street. The late E. H. Perkins said the ground was very much more depressed than now within the fort limits, the palisades being on rises of ground now observable. Also that previous to the building of Chemung dam the earthworks were very distinct about 100 feet below the present Chemung bridge.

⁷ The ball embedded in the boulder was from cohorn.

⁸ The order book says: "The commanding officer of the artillery is required to be particularly attentive that no fires are made that will in the least degree endanger the magazine of ammunition."

fleet of 200 or more boats may have had to go down east of the island, but the land forces marched gaily along to the right of the camp on the Point, and occupied the site of the old Indian town on the Point, described by Bartram as near the Chemung. One-third of the whole army of the Revolution was now encamped on Tioga Point. Monday was spent in visiting, disbanding infantry to rejoin their respective regiments, and preparing for the attack on the enemy or the advance. Previous to this an attack had been made on Chemung, August 12, by Hand and Poor; the town, a large one, said to be "12 miles up the Tioga Branch," was deserted by the Indians just before their arrival. The troops burned the 30 houses, had a skirmish with the enemy, and had 6 men killed and wounded. Here the first corn "fit to roast" was destroyed, 40 acres. This was probably *Old Chemung*, the record being:

"There were two Indian towns destroyed by Sullivan; one on Chemung Flats near Buckville called old Chemung, or Old Town, and one on Baldwin and Lowman Flats called New Chemung or New Town." However, Dr. Beauchamp says: "Old Chemung had been long abandoned, and New Chemung was burned Aug. 13, while Sullivan waited for Clinton." Dr. B. also gives an interesting letter² written by Brant from Chemung, Aug. 19: "I am deeply afflicted John Tayojaronere my trusty chief is dead. He died eight days after he was wounded. Five met the same fate. I am very much troubled by the event because he was of so much assistance to me. I destroyed Onawatoge a few days afterward. We were overtaken and I was wounded in the foot with buck shot, but it is of small consequence. We are in daily expectation of a battle which we think will be a severe one. We expect to number about 700 men. * * Then we shall begin to know what is to become of the People of the Long House. Our minds have not changed. We are determined to fight the Bostonians."

Dr. Beauchamp does not locate Onawatoge, but gives the name of the town near Elmira as Kannawaholla.

It is an acknowledged fact that after a day or two of rest and reorganization the combined forces took up their march, and on August 29, 1779, had an engagement between New Chemung and Elmira, in which "the Bostonians" were decidedly victorious. The story of the "Battle of Newtown" has been so often told that, instead of following the expedition, we will remain at Fort Sullivan, first giving two letters from Col. Adam Hubley, written on the eve of departure. The first of these letters, not often published, is from Pennsylvania Archives, Vol. X, p. 719. The other we think hitherto unpublished, as the original is to-day in Athens and should be placed in the Sullivan collection:

"Col. Hubley to Pres. Reed, 1779, Fort Sullivan, On Tioga Branch, August 24th, 1779.

"Sir, The present opportunity offering, I could not omit writing to your Excellency in behalf of my officers respecting their Commissions.

"The arrangement was transmitted to your Excellency by Gen'l Sullivan some time since. At is was mutually agreed to by the Gentlemen of the Regiment, I make no doubt it has met with your Excellency's & the Hon. Body's over which you preside, approbation. Doctor Rogers, the bearer hereof, will return to us immediately again; I beg you will please to forward the Commissions by him, which will be most particularly acknowledged by the Gentlemen.

² See "History of the N. Y. Iroquois," p. 364.

"Since my last (from this place) nothing material happened, excepting the arrival of Gen'l Clinton from OTSAGO, situate on the Head waters of the Susquehannah, w'h about 1400 effective men. Since the forming the junction, the Army received orders to hold themselves in readiness for a march on to-morrow morning—to be provided with 3 days' provisions. The want of this Article, together w'h the want of cloathing, &c., I presume is the cause of our making so short an Excursion (30 days) thro' the Indian Country. It's judged, as very few of the Savages are seen near this place, they are gathering in some part of their Country, and may probably give us some opposition.

"Since our arrival here we have erected a Fort, (Fort Sullivan). A garrison of 250 men will be left during our excursion thro' the Seneca Country.

"For further news, I beg to refer your Excellency to the Doctor, who will be able to give you a very particular account of the situation of affairs in this quarter.

"My officers and men, who were wounded in the action of the 13th, at Che-mung, are all likely to do well.

"I am, with the greatest respect, Your Excellency's most obdt serv't,
"ADM HUBLEY, Lt. Col. Com't 11 P. Reg't."

"Directed,

"His Excellency Joseph Reed, Esqr., Presid't of the State of Penna., Philadelphia.

"Favor Dr. Rogers."

The original of the following letter, *written the same day*, was found among the papers of the late Edward Herrick, Jr., and is now in possession of his heirs:

"Fort Sullivan on Tioga Aug 24, '79

"Sir,

"Since the closing of my letter of this morning, I was apply'd to by the officers of the Regiment to take steps to have the Regimental vacancies fill'd up.—Capt. Forrester of my Regiment, having obtain'd leave to go on furlow for two months—commencing the first of February last—since which we have had no account of him excepting verbal, informing us he had resigned, and did not consider himself an officer any longer. His not coming to join the Regiment, or even writing to any of the officers, sufficiently proves the report, and consequently justifies the filling up of his vacancy.—I must therefore beg your Excellency will order the following promotions to take place, which will be agreeable to the arrangement transmitted you some time since, viz. Capt. Lieut. Septimus Davis to the rank of Captain—Lieut Edward Burke to the rank of Captain Lieutenant, and Lieut. Jacob Weitzell will fill up the vacancy of first Lieutenant. The great care which your Excellency has ever taken to promote the happiness & well-fare of the line induces me more particularly to rest assured everything in your power will be done to have my request comply'd with

"I am your Excellency's most obt hl Servt

"ADM HUBLEY Lt Colo. Comt 11th Pa Rgt."

"Any particular occurrences which may turn up, during the expedition I shall take the liberty to inform your Excellency of.—"
"by Doctr Rogers."

It was a distressing fact that the army entered upon the expedition with short rations, yet the brave men never murmured. The salt meat was not too plenty. Dr. Griffis says that on the 24th, two days before departure, a fresh flotilla arrived from Wyoming with cattle and stores. All told, there must have been as many as 500 flat-bottomed boats moored in the two rivers, a much more extensive fleet than that started for Wyoming the year before. On the 25th runners arrived from Fort Pitt, saying that Col. Brodhead was on his way with 800 men. On that day the army struck camp, loaded, and then unloaded and camped about the fort, *according to Hubley's sketch*. It

has always been said that Sullivan built some corduroy road on Main Street, but Hubley's dotted lines indicate that they hugged the Chemung bank.¹⁰ August 30th, after the engagement at Newtown,¹¹ "the General sent to Tioga in the boats the wounded soldiers and the most cumbersome cannon;¹² and by land all the wagons." There is no absolutely definite record as to the number of soldiers who died or were killed, *that are buried at Tioga Point*. The burial places were concealed, that they might not be ravaged by the Indians. The following list has been compiled from reports and journals, but does not assume to be complete or accurate. The Baldwins said that 12 were killed at Newtown, but Sullivan reported only 3. Baldwin said they were buried near Wellsburg, and it is said skeletons were unearthed at location indicated when digging the canal. The Indians left only 12 of their dead on the field, carrying the other bodies to Painted Post for burial.

Soldiers Buried at Tioga Point.

"Aug. 14—Buried 1 Sergt., 1 drummer, 4 privates from Col. Hubley's regt., 1 from Col. Cilley's, killed in skirmish at Chemung.

"Aug. 15—Jabez Elliott, son of Henry Elliott of Wyoming. A mere lad; a pack horse driver, shot while looking after horses across the Chemung.

"Aug. 17—Philip Helter, biscuit baker in German regt.

"Aug. 24—Capt. Benjamin Kimball, paymaster in Col. Cilley's regt., 2 New Hampshire Brigade.

"Aug. 29—Abner Dearborn, wounded at Newtown, died at Tioga Sept. 2. Sergt. Dement, Joshua Mitchell, and Sylvester Wilkins, died previous to Sept. 19, probably here. Joseph Davis, Ezekiel Davis, 3d company, Col. Cilley's regt."

"Col. Hubley recounts that after the skirmish at Chemung 'less the savages should discover our loss—I had the dead bodies carried along fixed on horses, and brought to this place (Tioga) for interment.' It will be seen that at least thirteen, probably sixteen or more of these brave men rest at Tioga Point."

FORT SULLIVAN! Try to picture it. The four block houses with the cannon mounted on top of each, two brass six-pounders, and probably two smaller ones. Dr. Griffis says all of Proctor's guns were used at Newtown; but at least three were sent back to Fort Sullivan, and no doubt the men wished all were left, as it often required *two or three hundred men* to draw the cannon through the swamps and up and down the hills. Dr. Griffis says there were at least nine pieces of artillery at the fort. How formidable they must have appeared to any savage spy. Probably the ball found near the bridge, now in Museum, and the one in the boulder were not discharged, both being found within the enclosure. Many lead bullets have been gathered along the Susquehanna bank near Carrying Place, where the fleet doubtless landed; also about the camp site on the Point farm. But to the fort! The four lines of palisades and the abattis gave a feeling of security to the inmates, and eventually they seem to have been careless in wandering outside. The horses and cattle were all turned out on upper

¹⁰ In early days there was a run of water skirting the foot of the rise of ground at the Presbyterian Church, making no doubt a slough in Sullivan's time. It was here the remains of the corduroy road were found, attributed by the soldier pioneers to Sullivan.

¹¹ The site of this engagement is easily located by No. 19 of Hubley's sketches.

¹² Among the many lost cannon stories is that of Thomas Baldwin saying that en route to Newtown a cannon was lost in the Chemung River just above Waverly Narrows. It has been said the cannon were so heavy some were thrown in the river, doubtless a wish rather than a deed.

"Queen Esther's Flats," or, as we would say to-day, the Murray and Thurston flats. The amusing incident given in accompanying note¹³ doubtless occurred on these flats, the order following the death and scalping of Jabez Elliott. The following is a list, also compiled from journals, probably correct:

Companies Left at Fort Sullivan.

Capt. Isaiah Wool's, of the Artillery.
 Capt. George Tudor's, 4 Penna.
 Capt. John Myers', 2 New Jersey.
 Capt. Benjamin Weatherby's, Spencer's N. J.
 Capt. Moody Dustin's, 1 New Hampshire.
 Capt. Amos Morrell's, 1 New Hampshire.
 Capt. Nathaniel Norton's, 4 New York.
 Capt. McCluer's.
 Capt. Day's.
 In order book find additional names:
 Capt. Thirstin.
 Capt. Aorson.

The main force being gone, something like a systematic military life was now possible, where for two weeks all had been in the confusion necessarily incident to the preparations for advance. Colonel Israel Shreve was in command of the fort. Colonel Antis was at first in charge of the boatmen, Major Dow, D. Q. M. G., conducted the fleet to Wyoming, and on return had charge of the artificers.

On the 27th Thomas E. Gee began the "Orders at Fort Sullivan,"¹⁴ to be found in "Records of Fort Sullivan." The scarcity of provisions made it necessary for Col. Shreve, now commandant, to reduce his forces. All women, except those employed as nurses and those necessary to wash for troops, were ordered to return to Wyoming, where they would receive rations during absence of the army, and all who should *presume* to stay were to be refused rations. Two small and 53 large boats with an escort of 30 men were to take the women, and bring back supplies. August 31 the boatmen arrived from Chemung and were ordered to return to Wyoming, taking such sick and wounded as the surgeons of the hospital thought best to send. September 2 the fort was not yet completed. Only two of the camp women are

¹³ In 1841 Major Adam Hoops wrote a letter to Hon. John Greig, of Canandaigua, relative to Sullivan's Expedition, in which he says: "The army — lay some time at Tioga Point. While there small parties of Indians crept up in the long grass on the other side of the branch (Chemung River). On an occasion which I well recollect, one of our pack-horse-men was killed, and another scarcely escaped with an arm broken. The cracks of the Indians' guns were plainly heard. Gen. Sullivan devised a plan to intercept these small parties, the execution of which was committed to Lieut. Van Campen." Van Campen thus told the story: "Major Hoops, an aid-de-camp to Gen. Sullivan, presented to me my instructions, with a sheet of white paper folded up, a leaden weight within, and a twine cord about 20 ft. long fastened to it. I was to get as near the enemies' camp as was prudent—conceal my men in the bush, select a shady oak, and place my sentinel in the top of the oak, with the paper and twine cord—to give the signal if he discovered a party of Indians—to sink the paper down the tree as many feet as they were in numbers—if passing to my right or left to give the signal accordingly. It was one of the warm August days. I marched as directed, selected my tree—my sentinel ascended 20 or 25 ft., and concealed my men. We watched about one hour, every eye fixed on the sentinel. At length the paper dropped about 4 ft. I spoke, saying, 'My good fellows we shall soon have sport.' The paper continued to drop to 10 ft. I observed again, 'We shall have something more to do.' The paper continued to drop 15 ft. 'Now, my good fellows, we shall have enough to do,—15 of them to 20 of us. Let every shot make their number less.' Behold! the fellow had fallen asleep—let the twine cord slip—lost his balance—and came down like a shot, head foremost. He was much bruised by the fall. I made my report to the General."

¹⁴ The original of this order book (from which years ago Mr. Craft made his copy) is now in the library of Cornell University.

named, Catherine Castner and Catherine Lamberson. Completion of the work was hastened and the men were enjoined in case of attack there should be *no retreat* and *no surrender*. The troops were forbidden crossing the rivers without permission. Tattoos were no longer beat. The magazine is frequently alluded to. Apparently the boats returned from below September 8, with a supply of provisions, inadequate, however. A cannon was ordered to be fired for reveille and retreat. On September 14 there seems to have been news from the main army, and 100 men, one three-pounder with artillerymen, 20 small boats manned with 100 boatmen, were ordered to march under command of Capt. Reid. The boats were ordered taken round in Tioga Branch. (This proves that the fleet, as a whole, was moored in the Susquehanna.) This force was evidently detailed to build Fort Reed, near Elmira, where supplies could be held ready for returning troops. On September 15 more sick and wounded were sent to Wyoming. As the women were again ordered to go, doubtless they had not obeyed previous orders. This was a busy day, fleets and forces going in each direction, Commissary Pratt loading provisions on boats going north, and the surgeon getting off all unfit for duty to Wyoming, who were to start at sunrise.

Lieut. Osman had charge of the axmen detailed to complete the stockade, probably also to furnish firewood. Major Morrison became the commanding officer of the fleet, and his task was a trying one. Apparently the boatmen were difficult to manage, the boats were allowed to float where they would, and the men were careless about their weapons. Half rations only of flour were issued, also beef and rice, some liquor, and occasionally butter to officers. The name of the surgeon is not mentioned in the order book.¹⁵ Many horses were left at Tioga Point, and the soldiers made such free use of them, probably in excursions, that an order was issued restraining them. Apparently the troops did not enjoy baking for themselves, as September 17 rations of *bread* were ordered instead of flour. Bakers were employed, who evidently proved dishonest. Flour was again ordered issued to the troops, and the bakers ordered to return 18 oz. of bread for each pound of flour received.

"They are further ordered not to presume to ask more than one dollar for every 4 lbs of bread they sell to the soldiery. Disobedience of this order will meet with severe punishment."

Some arrests, trials and punishments are noted; Joseph Putney, for sleeping on his post, was sentenced to receive 100 lashes on his bare back at roll-call, a humiliating experience. And so the time wore away. The little garrison occupied the fort one month, unmolested after the departure of Sullivan by even a sight of an Indian or Tory,

¹⁵ Dr. Jabez Campfield evidently went forward with the expedition. The head surgeon at Fort Sullivan hospital doubtless was Stephen McCure, as per the following order, recently found among the treasures of the Historical Society of Pennsylvania:

"Woming, 10 Oct., 1779.

"This may certify that by an order from Majr. Genl. Sullivan to me directed, one hundred and forty-five raw hides were taken for the purpose of flooring the boats for the accommodation of the sick when sent from Tioga to this place.

"To the Commissary of Hides."

"STEPHEN McCURE,
"Senr. Surgn."

although the order book shows that they lived in a constant state of anxiety.

Meanwhile Sullivan and his army pursued their relentless march into the heart of the Iroquois country, virtually destroying the great Confederacy. Forty towns were burned, 200,000 bushels of corn, quantities of beans, squash, etc., in spite of the fact that the troops were obliged to subsist largely on succotash. Many orchards of fruit trees were destroyed, and, as Dr. Griffis says, the country made uninhabitable for years. At the same time the soldiers found that they were in a far more fertile region than ever known to them before, and many looked forward to the time when they might return as pioneers. The orderly book of Lieut. Jeremiah Fogg,¹⁶ adjutant under Col. Poor, gives some account of the return march:

"Hd Qu'rs Chenessee Sept 15, The Commander in Chief informs his brave and Resolute army that the objects of this expedition are accomplished, to wit, the total ruin of Indian Settlements, and destruction of their crops designed for the support of those inhuman barbarians while they were desolating the American frontiers."

He then assured his soldiers he would not fail to inform America at large how much they stand indebted to them. "The army will this day commence its march to Tioga," followed by order of march and careful instructions for protection. The sick and lame were to be put on horses, and all soldiers found straggling or lurking to be given 50 lashes on the spot. September 25, Maxwell's Brigade and some others reached Fort Reed, where 100 cattle and plenty of food and liquor awaited them. Here the main force awaited various detachments sent out to destroy any town overlooked or out of the general route. Many stories have been recorded of the rejoicings at this point. The following, told by Edwin Corwin to H. Payne, of Waverly, many years ago, has not often been in print:

"When we got to Newtown we had a time of rejoicing. They fired a little brass three-pounder that was called the Grass-Hopper, and the soldiers were permitted to use blind cartridges to fire the rejoinder. We were two deep in a long line. Gen. Sullivan rode along on a trot and each soldier fired just as he got against him. The Grass-Hopper was at the further end, and when Gen. Sullivan came out the little fellow roared like young thunder."

Lieut. Barton tells that the men were ordered to parade in line and fire a feu-de-joie, and the ordered running fire of muskets did not go to the General's liking, which was the reason for the above ride; that Sullivan "rode his horse with whip and spur, men all firing, causing the General to say *it went like a hallelujah!*" Cheers for Congress, the United States, and the new ally, the King of Spain, ended the rejoicing or preceded the special feast of beef and grog. Some journals say they fired a salute of thirteen guns from the cannon, built thirteen fires, drank thirteen toasts and lighted the tables with thirteen candles. Indeed, it is difficult to realize the exultation of the troops, officers as well as men. Sullivan's pride in a deed well done must have been an untold source of joy.

¹⁶ In possession of his granddaughter, Mrs. Hilliard, of Lynn, Mass.

The following report to Executive of Pennsylvania shows that the officers were still apprehensive of Indian revenge:

"Camp at Kanawaluhaly, on Tioga, 21 Miles from the mouth of that River, 25th Sept'r, 1779.

"To President Reed.

"Sir, I have the satisfaction to inform your Excellency that the Boddy of the Army under Major General Sullivans Command has arrived at this place on its return from the Indian Country, having compleated the Desolation of all the principal Settlements within its reach.

"The loss of their Crops and Houses must render the subsistance of the Savages very difficult in this part of the World, so much so, that I think they cant bring any considerable Parties into ours—yet as we have not been fortunate enough to Capture any of them, and as no terms have been sought by them, I am apprehensive that the spirit of revenge so natural to Savages, which their good allies the English will not fail to foment, a desire to persuade other nations that they are not Conquered, or even hungar may bring straggling parties on our Frontiers this Fall.

"I take the liberty of mentioning these my suggestions to your Excellency that you may make timely provisions for the security of the Frontiers, should you think them in danger.

"I have the Hounor to be Sir, with much respect, your Excell'ys most obed't & most humble Servant,

"EDW. HAND."

September 30, the reunited forces halted within one mile of Fort Sullivan, all formed in regular line of march, with colors flying and bands playing. Of course, this was just above Mile Hill, as Hubley says, it was on "Tioga Plains." Another, and far more jubilant, welcome awaited them as they neared the fort; they were received with military honors, the garrison standing at "present arms," the cannon noisily firing a salute, and the artillery of the expedition returning it. The entire body of men marched through Fort Sullivan or "passed the fort." Perhaps this means they paraded in a loop, encamping north of it along the banks. The completed stockade was greatly admired. Col. Hubley says:

"Col. Shreeve had an elegant dinner provided for the general and field officers. We regaled ourselves, and great joy and good humor was visible. Col. Proctor's band and drums and fife played in concert the whole time."

Two days later, Saturday, October 2, General Sullivan made an "elegant entertainment" for all the officers. *This was the last day of life in Fort Sullivan.* The mirth was great, concluding with an Indian dance, which Col. Hubley describes:

"The officers who joined in it put on vizors alias Monsters. The dance was conducted by a young Sachem of the Oneida tribe—followed by several other Indians, then the whole led off, and after the Indian custom, danced to the music of a rattle, a knife and a pipe, which the Sachem continued clashing together and singing Indian the whole time. At the end of each, the Indian whoop was set off with the whole."

Fancy this savage riot! Fire-water, no doubt, had flowed freely; hardships and short rations were all forgotten, and life at Fort Sullivan closed with flying colors. For on the morrow "the garrison joined their respective corps," the hospital and other stores and the sick¹⁷ were loaded on the boats and started for Wyoming; and when they were

¹⁷ According to the order already given there were many sick, judging from the 145 hides used to fit up the boats for their comfort.

well away a large fatigue party was turned out to destroy the fort; the pickets were pulled up and cast into the river, the abattis burned, the block houses demolished, and Fort Sullivan was only a memory. The order book tells of the arrival and departure of the army and, indeed, continues until the arrival of the army at Easton. Aside from the cannon balls and bullets, the only relic of occupants of the fort was the metal head of a banner staff, dug up several years ago in the garden of G. A. Perkins; unfortunately it was captured and carried away by an overzealous "Red Man."

The following letter is a good resumé of the expedition; the letter of August 30 here alluded to has not been found.

"Fort Sullivan, at Tioga, October 1st, 1779.

"Sir,

"I have the honour to inform your Excellency that the Army under the Command of Genl. Sullivan arrived here last evening, after accomplishing the immediate objects of the expedition.

"The following is a small sketch of our proceedings since my last of the 30th August, (the day after Newtown action.)

"On the 31st The Commander in Chief, considering his small supplies of Provision for the Army, and the extensive business before him, was reduc'd to the absolute necessity of exposing his wants to the Army, and making to them proposals by which means he might possibly be enabled to execute the designs of the expedition.

"He informed the Army that he used every effort to procure ample supplies for them but thro' the inattention of those employed to furnish the necessities, he feared that without the greatest prudence he would not be able to complete the great business expected from us.

"He proposed that Army should content themselves with half allowance of Provisions, Viz., Flour and Beef of each half a pound; this proposal he requested should be laid before the Troops, and they to give their opinions with freedom thereupon. No time was lost in having this matter settled, and the sentiments of the troops were called for, who, to their everlasting honour be it spoken, without one dissenting voice, cheerfully agreed to the request.

"This important point being happily settled, the army took up their line of March, and proceeded on their route to Katherine's town; after encountering a number of difficulties, occasioned by the badness of the road & want of a sufficient number of Pack horses, we arrived late on the night of the first Ulto., the savages having, no doubt, previous notice of our approach, had retreated, leaving a number of their effects and an old Squaw. After destroying the Town and Corn, and putting everything in readiness for a March, we proceeded on our route to, and arrived safe at Candai,—this place, after sharing, the fate of Katherine Town, we left to proceed for Kanadaiga, previous to our march, a white man, who had been made a prisoner last summer, made his escape and came to us, he informed us that the savages with the Tories, under Brand & Butler, with a reinforcement (joined since the action of the 29th, the whole about 1200,) had just left this place, and were determined to give us battle at Kanadaiga; from every Circumstance, both as to intelligence and the favourable situation of the place, we had every reason to believe they would make a favorable stand. On the 7th we arrived near the place, the greatest precaution was taken in advancing, on our way to Town we had the out-let of Seneca Lake to cross, and immediately after to enter an extensive & Difficult defile, which extended within one mile of Town, here we expected to meet with som obstinate opposition, but we were suffered to pass through unmolested. A disposition for attacking the Town was then made, the situation of it being such as to leave little room to doubt an opposition, we accordingly advanced, but contrary to our expectations, it was evacuated, seemingly a very short time before our arrival, as their fires were left burning and a number of effects, with a small male white Child were found.

It was near dusk when we entered the Town, where we Encamped, without any Molestation, for this night. Here we Continued untill the 9th; various opinions prevailed among the officers respecting our proceeding any further, on Account of the small Quantity of Provisions which we had then on hand, but the General with a considerable majority, resolved to encounter every difficulty to execute the important expedition and determined to proceed on with the scanty pittance, and accomplish the arduous task.

"We then proceeded on our route, passing thro' several villages, and on the 13th arrived at Kanaghias, from this place, Lieut. Boyd with a party of 26 men, chiefly from the rifle corps, was ordered, under cover of the night, to reconnoitre Gagsugulahery, a village about 5 miles this side of Jenise, a place at which we expected to meet with some opposition, on his arrival he found it evacuated, excepting by a few straglers, one of whom they killed and scalp'd; the Army not coming as soon as Lieut. Boyd expected, he despatched several messengers, the first of whom brought us intelligence of the situation of that place but the last, Discovering several Indians as he was coming along, return'd to Lieut. Boyd and gave him information of it, who instantly pursued them, the savages pushing towards their main body, (of which Lieut. Boyd was totally ignorant) he found himself totally surrounded he had no other alternative but either to fight or to surrender, the former he chose, and after a skirmish of two hours, having 14 men kill'd, he & one private was taken, the remainder got off.

"It appeared from the situation of the savages, being the whole of Butler's & Brant's force, they intended to lay in ambush for our Army, the Country on which they had pitched being exceedingly well calculated for that purpose, but the arrival of Lieut. Boyd diverted them from their main object, by which means our main body escap'd a Capital stroke, (which would have been absolutely unavoidable) which fell upon poor Boyd and his party.

"The main Army, for want of intelligence, was ignorant of what was passing in front, untill about 12 o'clock, when the General received the first information, upon which the Light & rifle Corps immediately pushed forward, on our route we had a most difficult morass to pass over, which we got with the greatest difficulty, passing over one by one. We ascended the Mountain on which the Enemy lay but they left it with the greatest precipitation, leaving behind them a vast quantity of baggage, amongst which was upwards of a hundred blankets.

"The main Army in the mean time were engaged in compleating a Bridge over the morass, about 3 o'Clock the whole joined us, we then proceeded to Gagsugulahery, the Enemy, previous to our arrival, took possession of an adjacent woods, and made a disposition to oppose us, but on our approach, they, as usual, retreated, giving us peaceable possession of the Town.

"On the 14th we proceeded on our March towards Jenise, the last & Capital town of the Seneca Country, at which we arrived at about 4 o'Clock, P. M., Here we found the Bodies of the Brave, but unfortunate Lieut. Boyd and the other prisoner, massacred in the most cruel & barbarous manner that the human mind can possibly conceive.—the savages having put them to the most excruciating torments possible, first plucking their nails from hands & feet, then whipping, spearing, cutting their flesh from their shoulders and mangling their bodies, and at last cutting their heads off, and leaving them a pray to their Dogs.

"After Interring these unfortunate men with that respect that time & Circumstances would admit, we Encamp'd for the Night.

"On the 15th the Army was employed the greatest part of the Day in destroying Corn, &c., which in quantity was not less than near 300 Acres, of the finest I ever beheld.

"The immediate objects of the expedition being now accomplished, viz., The total ruin of the Indian settlements (in number about 30) and destruction of all their Corn, which in quantity was not less than one hundred thousand Bushels. The Army about 4 o'Clock, P. M., took up their line of march, and proceeded on their route to this place where we arrived much fatigued & otherwise reduc'd, last evening. On our return we met with a reinforcement of Provisions near New Town, which was a most pleasing circumstance, as the last was issued at Kanadagwia and nearly expended.

"A few days after getting matters into proper order, I expect we shall leave this place for Wioming, where we shall wait further orders with respect to our route.

"Your Excellency will excuse the incorrectness of my Letter, the bearer being in great hurry and had been waiting some time.

"Col. Brewer (Gen'l Sullivan's Secre'y) will deliver you this Letter, I beg to recommend him to your Excellency's notice, He is a Gentleman of undoubted Character, and a soldier.

"I have the honor to be,—with the greatest respect—your Excell'y's—most ob't h'e servt,

"AD'M HUBLEY, JR., L't Colo. Com't 11th R't."

"Directed"

"To His Excellency Joseph Reed, Esq., President of the State of Penns'ya Philad'a.

"fav'd

"Colo. Brewer."

The historian who classes the Sullivan Expedition with other *border raids* needs only to read Col. Hubley's Reflections, to become convinced of the importance of this master-move.

Reflection at Close of Expedition.

"Thus, by the perseverance, good conduct, and determined resolution of our commander-in-chief, with the assistance of his council, and the full determination of his troops to execute, have we fully accomplished the great end and intentions of this important expedition; and I flatter myself we fully surpassed the most sanguine expectations of those whose eyes were more immediately looking to us for success.

"The glorious achievements we have exhibited in extending our conquests so far, and at the same render them so complete, will make no inconsiderable balance even in the present politics of America. Its future good consequences I leave to the eloquence of time to declare, which will, in ages hence, celebrate the memory of those brave sons who nobly risked their lives, disdaining every fatigue and hardship, to complete a conquest, the real good effects and advantages of which posterity will particularly enjoy.

"Whilst I revere the merit and virtue of the army, I am sorry I am under the necessity of mentioning that there was an unparalleled and unpardonable neglect, (and which ought not to pass with impunity) in those whose business it was to supply them with a sufficient quantity of necessaries to carry them through the expedition, instead of which not more than twenty-two days flour, and sixteen days meat was on hand when it commenced. And, although the army possessed a degree of virtue, perhaps unparallelled in the annals of history, in undertaking an expedition on half allowance, which was in every instance hazardous and imperious, yet, had we not been favored with the smiles of Providence, and a continuance of good weather, the half allowance itself would not have enabled us to perform what, from that circumstance we have."

The soldiers while at Tioga Point made two discoveries; one was of the Indian burying ground near their camp, where they made extensive excavations; the other is related in the following extract from an address at the Centennial of St. John's Lodge No. 1, at Portsmouth, N. H., January 21, 1836, by Chas. W. Moore, of Boston:

Col. Proctor's Military Lodge,—Tioga Point.

"In the campaign of 1779, the Commander in Chief sent forces under Gen. Sullivan, a son of N. H., and a worthy Mason, into what was then called the Susquehanna country, to stop Indian ravages. The different detachments of those forces formed a Junction at Tioga Point. While there Colonel Proctor, of the Artillery obtained from the Grand Lodge of Pennsylvania a warrant to

hold in the camp a movable Lodge of Free masons. During the campaign, this Lodge was opened almost every evening in the encampment. At Tioga two tents were connected for its accommodation. On clearing away the rubbish and leaves from the spot where these tents were to be pitched, which had, apparently, been gathering there for centuries, the workman found an old IRON SQUARE, very much decayed, but still strong enough for the use of the Lodge; and it was so appropriated during the remainder of the expedition."

The location of these tents must have been in vicinity of the boulder; the speaker said no white man had been known to be there, it has been shown there had been many British as well as others. Yet it was curious!



BOULDER ERECTED IN 1902 BY TIOGA CHAPTER, D. A. R.

CHAPTER IX

CONDITIONS AFTER 1779

Border Raids Continued—Narratives of Scouts and Captives—Tcaoga Abandoned by the Red Man—The Narrative of the Indian Girl Way-way

The Sullivan Expedition, while successful, did not put an end to the raids upon the frontier settlements at once. The haughty Iroquois having suffered defeat after so many years of supremacy, were filled with the usual Indian desire for revenge. And unquestionably the British took advantage of this feeling and continued to instigate and assist them. The Upper Susquehanna and the Tioga were still the Indians' highway. The prisoners *en route* to Niagara were still halted at Tioga Point. While New York suffered the most, being still the home of the Iroquois (who, however, were mostly congregated at Niagara), Pennsylvania continued to be invaded, and, as before, there seem to have been concerted raids in both States at certain times. For instance the attack on the Palatine settlements and Harpersfield in March and April, 1780, and those about the settlements at Wyoming. It was at this period that what was called a "militia company" was organized at Wyoming, with John Franklin as captain, their special work being scouting expeditions up and down the river. The original pay-roll of this company is now in Tioga Point Museum, also copies of Franklin's diary, kept from 1778 to 1784, with many brief allusions to these raids and the attacks upon the frontier.

The stories of Hammond, Bennett and Pike belong to this period with their thrilling escapes, etc.; they are well known and can be found in Craft's Hist. Brad. Co., pp. 83-84.

The story of the prisoners from Harpersfield, told by one Patchin,¹ records that, after a journey through the wilderness, they reached an old Indian town on the Susquehanna called Ochquago.² Here rafts were rudely constructed of old logs withed together, and the party floated down to *Tioga Point*. Simultaneous with the Harpersfield attack, a detachment sent by Brant once more devastated Minisink, capturing five athletic men, whom they bound and brought to *Tioga Point*.³ They were resolved to escape, and in the night, when the sleep of the Indians was deep, the strongest of the party succeeded in breaking his bonds: he released his companions, each snatched a tomahawk from the belt of their captors, and were fortunate enough to kill nine of them. The remaining two Indians now wakened, and, it is said, tried to flee rather than fight. One only was successful. The Minisink men returned home with joy. The escaping warrior, when

¹ See Josiah Priest's "Narrative of the Captivity of Freegift Patchin."

² Now Windsor, Brant's headquarters.

³ See Stone's "Life of Brant," Vol. II, p. 59.

he recovered courage, returned in search of his comrade. He found him wounded, and remained to care for him. When the Harpersfield party neared Tioga Point the usual war whoop was given, and to their amazement it was answered by a single voice with the *death yell*. When the solitary warrior related his tale, it is said the effect was terrible. "Rage and a desire for revenge seemed to kindle every bosom and light every eye as with burning coals." Their rage naturally turned on their poor captives, who gave themselves up for lost. But the lone warrior interposed; he knew most of the prisoners, having formerly lived near them. He was said to be a chief; therefore, when he rushed into the mad circle and waved his hand, he was heeded, as also when he appealed to them not to kill these men who were *not guilty* of the murder of his comrades. One of the captives understood enough of the Indian language to grasp the chief's meaning in his unusual and eloquent appeal, which was instantly effective. The party then proceeded to Niagara, suffering much from hunger, both captors and captives. Patchin relates that they actually ate horseflesh from a carcass of a horse left in the van of Sullivan's army. Later Brant, who led the company, seized fresh meat from some Indian laborers⁴ in the Genesee Valley.

Early in June, Capt. Franklin and some of his company made a scouting expedition as far north as Wysox, and took three prisoners, viz.: Jacob Bowman, Adam Bowman and Henry Hoover, with "a fine lot of plunder," valued at £46 18s. 11d. Capt. Franklin and Sergeant (Thomas) Baldwin each shared a silver watch, compasses, silver buckles and sleeve buttons. A scarlet broadcloth coat, several gold pieces and a beautiful spy glass attested the consequence of the prisoners. Their canoes sold for £4 10s. Miner remarks:

"They were probably confidential messengers on public service from the enemy in New York to Col. John Butler at Niagara. Col. Zebulon Butler (of Wyoming) purchased the spy glass from the victors, estimated at three guineas hard money."

We have what Miner had not, Franklin's diary and recorded personal narrative of 1805. The Bowmans were well-known Tories (the Hoovers also were on Butler's list), who lived along the river. On this occasion their faces were painted to resemble Indians, and doubtless there was but one of the party a person of distinction. The spy glass is said to be the one now in Tioga Point Museum, about which there are conflicting stories, the accepted one being that Franklin gave or sold it to Obadiah Gore, to whose descendants it now belongs.

Franklin's diary briefly records for June and July various raids, with murders or captures of white men.

In August it was reported that Sir John Johnson was planning another attack upon the Mohawk settlements with 2000 men. Halsey says⁵ this expedition was entirely of British origin, believed to be connected with the treason of Arnold and the attempt to gain control of the Hudson Valley. Another motive for this expedition was the de-

⁴ This looks as though some brave Indians had returned to their cornfields, as it was just in corn planting time.

⁵ "Old New York Frontier."

moralizing effect of the Sullivan Expedition on British sympathizers, who, now doubting England's success, were disposed to join the patriot party. Sir John hoped to restore confidence in British arms. The Indian forces under Brant and Cornplanter were collected at Painted Post and Tioga Point, and joined Johnson at Unadilla, the united forces being about 1500. This expedition left desolation in its wake," by Johnson's orders devastating the Mohawk Valley after the manner of Sullivan. They were, however, defeated by American forces, but retreated with much valuable plunder.

The Indians were once more harassing the settlers in Wyoming Valley, and Franklin's diary records September 2:

"Set off for Tioga with Sergt. Wells (?), Wm. Terry and Rich. Halstead 6th See two Indians at Tioga and chased them to Chemung. I hear that on the third Sergt. Baldwin and Searle Killed an Indian."

Miner says that this party found at Tioga Point evidences that large parties had recently been encamped there, that they seized a canoe there and returned to Wyoming the 10th. December 5, Franklin's diary records:

"Tories and Indians took Benj. Harvey, Elisha Harvey, Nathl. Bullock, Jas. Frisby, Jon. Frisby, _____ Cady and Palmer Ransom's prisoners." These men were all members of Franklin's Company. They were taken to Niagara, suffering much from cold and hunger, though "at Tioga Point they killed a horse and fared sumptuously."

All through 1781 and 1782 depredations continued in the valley, briefly chronicled in Franklin's diary; of captures of men and horses, assaults on homes, destruction of grain, etc.; "revenge" for Sullivan's destruction being still the Indian watchword. The culminating horror seems to have been the attacks on the home of Roswell Franklin, of Hanover; his own capture in 1781, and the capture of his wife and four children in 1782. The rescuing party followed the latter up the river and overtook the captors on the crest of the hill above Homet's Ferry, in Bradford County. The children were rescued, but during the fight the mother was accidentally shot. Several of the captors were killed. Col. Franklin gave a detailed account of this encounter, which was published in the *Athens Gleaner* April 4, 1872. He said some of the party were white men painted as Indians. "*This was the last encounter with the Indians, and the last act of the Revolutionary War in the Valley,*" says Craft. All but one of the raiding party were killed by Franklin and his men. Many of these terrible raids were incited by the scalp bounty offered by the British. What has recently been called the last Indian information from Tioga Point, dated 1781, was a most repulsive inventory of scalps purporting to have been prepared for shipment to England, but sent as a gift to the Governor of Canada. This inventory was published in an English work that claimed to be a collection of authentic facts, and was long supposed to be genuine. But it is more than sixty years since W. L. Stone, in pursuing his historical investigations, discovered that this document

⁰ "Old New York Frontier," Part VIII, Chap. II.

⁷ George Palmer Ransom (afterwardsh Colonel), great uncle of the late M. Forman Ransom of Ulster.

was written by Benjamin Franklin. In Stone's "Life of Brant" he tells of this discovery,⁸ saying: "*Such deliberate fiction for political purposes as that of Dr. Franklin, just referred to, was probably very rare.*" Doubtless the object was to prejudice the Americans against the British. With the proclamation of peace, in 1783, the poor Indians lost their British friends and their homes. Washington showed a liberal policy toward them, and in 1784 a treaty was signed at Fort Stanwix, and the hatchet buried. But it was several years, as shown in our next chapter, before the British in Canada ceased to encourage the Indians to hostility. The Iroquois withdrew to Canada or their New York reservations. Tioga Point was no longer the rendezvous of the red man, the campfires of hundreds of years were extinguished, the trails were converted into bridle paths and highways, and within a few years naught remained but the hundreds of graves to remind us of the aboriginal inhabitants of Te-a-o-ga. According to Maxwell, from 1787 to 1790 there were still many families of Indians between the rivers and Seneca Lake, which region was still a common hunting ground to all tribes of Six Nations; but by 1802 all had disappeared, by ravages of small-pox, as well as removal. The last Indian residents along the Chemung and Susquehanna were enumerated in 1779: "*At Tcaoga were 30 Saponies, 100 Munsies, also Delawares and Lenalinape.*" In 1788, when Guy Maxwell came, there were but a few scattered cabins along the river banks, and he said the Indians left the locality in 1801. In 1828 Red Jacket (and some other Indians) attended circuit court at Bath.⁹ Thomas Maxwell was present and carefully questioned the old chief. He confirmed the above enumeration, saying that just before the white settlement, this valley was occupied by Sapoones, Delawares and Munsies; with straggling parties of Senecas, Cayugas and Tuscaroras. Sapoones, or Saponies, will be a new name to most of our readers. Dr. Beauchamp says they were a branch of the Catawbias, as were the Tuteloes; and were allies of the Iroquois by adoption.

By the courtesy of the Wisconsin Historical Society we append a narrative transcribed by Judge Avery, said to have never been published, and thus bring to a close the far too meagre account of the aborigines of this valley:

[Draper Mss.]

"July 14th 1837 Middleport Grand River¹⁰ Canada.

"My Indian name is Way-way—my English name Betsey Douglas born at Chocunut on the Susquehanna was a little girl when the white men destroyed our crops & drove us off in the war we all went (prisoners and all) to Niagara—a parcel of Indians had been taken prisoners to Albany—The first I recollect was at Chocunut¹—a great many Indians on the flat—then at Genesee a long house & great many children in it a little way from the River near the bad smelling water.² My mother died soon after I was born & I did not know but what the woman who had care of me was my real mother. The woman I called my mother left me at Genesee once to go to Tioga Pt to get the bones of her friends

⁸ Vol. I, Introduction; also Appendix.

⁹ The occasion was the trial of two Indians charged with murder. An unfriendly feeling was manifested by the whites, and after the trial, *no Indian was ever seen* in the vicinity again.

¹⁰ Land on Grand River was granted to the Mohawks after 1783, and portions of the Six Nations still live there.

killed in the war (probably by Sullivan's army)—After war came back to Chenang & Choconut where my folks had once lived. Dutchman lived there. He was brother to Bovier who lived at Tioga Point. There was a large Round Hill¹ & big flat in front; Nanticoke Indians & some Delawares lived there then. Another man Keeler lived on the other side of the River—also a man by the name of Saddler. Here were our corn fields. My mother pointed them out & said 'they had been destroyed, but why can't we come back here to live where our people have been buried.' We got pretty near all the things we had hid in the ground. We went to Awaiga next—lived there considerable while—two year I think. Nicmaster⁴ lived there & Draper—Oghgue Sen we call him. Tuscarroras call him Ogh-gwal-sen. Draper lived once at Choconut—Jacob Seth¹¹ was my adopted father's name. Sarah my mothers. We went to Wappaseening (Nichols)—lived there two year—right near the Cove. I recollect Ransom⁵ & Brooks at Pipe Creek. went to Tioga Pt, lived for a while with Mr. Spaldings⁶ folks—learned English there—Nicmasters folks & Ransoms folks were very good to my people give us flour, pork & all kinds of provisions. One boy that used to live at Nicmasters was ugly to me. I forget his name. Our wigwam was about thirty rods from Nicmasters. It was on the trail to Cayuga Lake. John Harris⁷ lived at Tioga Pt. I saw Red Jacket at Tioga Pt at Pickerings Treaty. He was young man but very smart. He made great Speech. Captain Smoke was there he was great man. I am named Betsy after Betsy Harris.⁸ I know old Nicholus⁹ well across the river at Ahwaga—Onondagas & Senecas called it Ahwahguh we called awaiga. Jo Sackett I think lived at Standing Stone. I was also at Treaty at Canandaigua I stayed for a while with a man by the name of Baker at Newtown. Old Jenkins¹⁰ lived there then: I called him Old Chickens that was as near as I could speak it. He used to laugh to hear me. I am a Nanticoke Indian. My mother & grandmother came from Maryland. The Nanticokes were put upon the Susquehanna by the Six Nations When the Six Nations Sold Nanticokes got nothing. They let them into their Country because they were good warriors & brave men, & Tuscarroras too.

"Old Nicholas was a Delaware. all the Nanticokes came from Maryland. I have a relative now living here who is 111 years old—a nanticoke Indian—Old Nicholas had a son Byman. Nicmaster's folks was very kind to me—first rate people I recollect Jenny When I left that part of the Country for Canada, Mill was just started by Pixley—

"We went over beyond Wyoming—when we came there my father pointed out where the battle was. He was in the battle. I recollect when the Indians came back with great many scalps. I saw one man at Pipe Creek; I don't know where he lived; who had been scalped & still lived. It was all healed up when I saw him. The way I got my name was this—my mother used to sing an Indian verse which meant 'Oh where did the child come from'; The last words of the verse was 'Way-way' & that's the way I got my name."

¹ Choconut is now Vestal, between Tioga Point and Binghamton.

² Evidently the sulphur springs at Avon, N. Y.

³ Hill east of town of Union, similar to Spanish Hill.

⁴ James McMaster, the pioneer settler of Owego.

⁵ This must have been Col. G. P. Ransom.

⁶ This must have been Joseph or John Spalding, as others lived at Sheshequin.

⁷ Quite likely Jonathan Harris.

⁸ Cannot locate Betsy Harris.

⁹ Probably the Nicholas that helped capture Stropes.

¹⁰ Probably William Jenkins.

¹¹ Indian Seth may be the same; see "Annals of Binghamton," p. 134.

CHAPTER X

INDIAN COUNCILS

*The Pickering Treaties at Tioga Point, Newtown and Canandaigua—
Colonel Proctor's Mission and Journal—Indian Traders and
Trading Posts at and near Tioga Point*

It is an accepted fact that the purchase of Indian lands for occupation by the whites, whether by accredited agents or land speculators, necessitated amicable treaties. These were brought about, we are told, by general Indian Councils, where the chiefs of tribes met with the white men; and through the medium of an interpreter made known their demands or their grievances, as the case might be. What was called a "general palaver" was held, many belts of wampum exchanged, food and, alas! firewater freely given, and some decision amicably made. Whenever there was a murder or any small difficulty, it was found wise to have a council as soon as possible. There were a number of these meetings at Tioga Point, of which there is so little authentic record that confusion has resulted from the stories of various pioneers. It was customary at these treaties or councils to provide food and drink for all the Indians who attended, and, if the weather required it, such shelter as they desired. Would there were far more than the meagre records which have been preserved, and that it were possible to give in detail the way the Indians were received, housed, etc., at Tioga Point at the time of various treaties or councils. The early treaties having been already necessarily introduced as a part of Indian history, the following are of those *after* the Revolutionary War.

There are so many contradictory statements about the treaty or treaties at Tioga Point, Newtown, Painted Post and other places, that it seems worth while to devote a special chapter to this matter, rather than to weave the various treaties chronologically into one narrative. One can easily find maps of Pennsylvania showing the different purchases made from the Indians (see Egle, p. 208). Beginning at the southeastern corner of the State, there are successive purchases of 1736, 1749, 1758, 1768, and, lastly, of 1784; which last completely extinguished the Indian title to any portion of Pennsylvania. This purchase of 1784 had for its eastern boundary the North Branch of the Susquehanna; it was called the "New Purchase," and embraced all the lands in Bradford County west of the river. This purchase was confirmed by the Wyandott and Delaware Indians at Fort McIntosh, by a deed dated January 21, 1785; but a deed had already been given the preceding October by the chiefs of the Six Nations at Fort Stanwix, now Rome, N. Y. The Supreme Executive Council of Pennsylvania appointed commissioners to adjust this purchase, as follows: Hon. S. John Atlee, William Maclay and Francis Johnson. In the minutes of the council of August 24, 1785, is an inventory of the

articles furnished as presents and compensation for the land it was proposed to purchase, and 3375 pounds specie were appropriated to pay for them. The commissioners suggested that Tioga or Wyalusing would be the most proper place to meet the Six Nations. When the treaty was concluded it was agreed that one thousand dollars' worth of goods should be delivered to the Indians at Tioga Point. The goods were purchased under the direction of Commissioner Johnson; and William Maclay was appointed to deliver them. His final instructions were as follows: Pres. Dickinson to Wm. Maclay:—

"Sir, Relying upon your integrity and Prudence, we request you to take the charge of delivering the goods to the Indian Chiefs appointed at the late Treaty for receiving them at Tioga on the first day of next month. Col. Johnson now sends them to you with an invoice, and we are exceedingly desirous that they may be at Tioga in time. You will read the treaty to the Indians, explain hunting privileges, etc. Sept 3. 1785."

There is in Tioga Point Museum, Herrick Collection, a pamphlet published in 1787, giving the accounts of the Indian Commissioners appointed in connection with aforesaid treaties. Various brief allusions in Archives complete the chain of evidence of another neglected chapter of Tioga Point history. In addition to the money paid to the Iroquois confederation, it was agreed to deliver £375 worth of goods on the first of April and the first of October, 1785. Besides the goods, two chiefs of the Mohawks and Senecas had been promised handsome rifles, which were made to order (with names of chiefs engraved on them) and enclosed in cases. All these goods were delivered to Maclay at Northumberland, thence transported to Sunbury on September 5, 1785, after which is a record, "detained from September 20 to December 10, going from Sunbury to Tioga, waiting for the coming in of the Indians," etc. One lot of goods, probably flour, was sent by wagon, and the rest by boats, many of which, including the rifles, got wet on the way, and had to be dried and repaired. On arriving at Tioga, Maclay found but few Indians on the ground, and there are various items showing that runners were sent into the Genesee country twice, for whom moccassins, etc., were provided. Meanwhile the waiting Indians had to be provided with food and shelter, a serious undertaking in the wilderness. Powder was furnished, and the Indians sent out to hunt.

The waggoner from Northumberland to Tioga received £9 6s. Another item is rent paid to Messrs. Pickering and Hodgdon for stores to hold the Indian goods. Where were these stores? The pamphlet does not tell. But records tell that among the lottery warrants of April, 1785, was one to Pickering and Hodgdon, No. 16, lying west of the mouth of Cayuta Creek, land now known as between Spring's Corners and the center of Sayre. It is possible that here the Indians were assembled and the goods delivered.¹

¹ Upham, in his "Life of Timothy Pickering," tells that in 1785 Pickering, having had much experience as Quartermaster General in making purchases on a large scale, concluded to enter upon mercantile occupations. Therefore he formed a partnership with Samuel Hodgdon, long a confidential friend, and who had been Commissary General. They erected stores at Philadelphia and Sunbury, and it was doubtless in the latter that these goods were stored. Pickering and Hodgdon were among the Pennsylvania landholders.

However, as Matthias Hollenback's trading post or store was established at Tioga Point, it is possible the gathering and distribution were on his cleared ground, where no doubt the earlier treaties were held.

In Vol. XIV, Colonial Records, p. 536, is this entry: "Mr. McClay (to whom the delivery of the Indian goods at Tioga agreeably to the late treaty at Fort Stanwix has been committed) appeared in Council and presented estimate of necessary expenses, labelled 'Estimate of expenses of provisions and carriage of same together with carriage of goods to be delivered to the Indians at Tioga Oct. 1, 1785.'"

December 28 (as above, Vol. XIV, p. 604) is reported:

"A letter from Wm McClay Esq, advising the Board that he had met a large number of the Six Nations of Indians at Tioga and had distributed the goods which he had received in trust for them from the public, agreeably to the instructions which had been given him."

And now, *what were these goods?* A partial list will surely interest and amuse the reader and show the desire of the Indian to appear like his white brothers. List: 100 white ruffled shirts, 50 calico do., many yards of scarlet broadcloth and scarlet flannel, 20 silk hks., 12 doz. prs. shears, 12 doz. prs. scissors, 12 doz. dandruff combs, 6 doz. *untangling combs*, 12 gross gartering, 200 pocket looking glasses, hundreds of yards of calico, linen and lawn, 42 gold-laced hats, 18 castor hats, 12 doz. velvet bound hats, needles, thread, thimbles, knives, ribbons, rings, brooches, armbands, flints, lead, tobacco, pipes, and *rum ad libitum*. It seems 'twould have been a far more entertaining sight to have viewed these Indians clad in all their new finery, than when they stood up in their canoes in all their heathen panoply of paint and feathers, and sang the death song of the Wyoming settlers.

Could the waters of Tioga but mirror all the scenes of her past, what a wondrous panorama would be unrolled to present eyes!

Referring to Maclay's report to the Assembly of December, 1785, Mr. Craft says: "This closed the Indian conferences between Pennsylvania and the Indian tribes." That is, as a State, for in the later treaties Pennsylvanians were a part of the general government.

Whenever a treaty was held with the Indians, they expected food as well as gifts. Sir William Johnson, preparatory to the Fort Stanwix treaty, had ordered from Albany 60 barrels of flour, 50 barrels of pork, 6 barrels of rice and 70 barrels of other provisions. When the council opened there were present 3200 Indians, each of whom, wrote Johnson, "consumes daily more than two ordinary men amongst us, and would be extremely dissatisfied if stinted when convened for business." (From Halsey's "Old New York Frontier.") After they received the money for the purchase they were continually passing to the settlements to buy provisions, and, alas! whisky. For the white man's "fire-water" was as loved as his "fire-arms" were feared.

In spite of these treaties the Indians were uneasy and to be feared. There was discontent about their various purchases, especially the later one by Phelps and Gorham. It is also said the British encouraged

them to be hostile, though war was ended. Finally matters were brought to a crisis by the murder of two Seneca Indians, in June, 1790, by the Walker brothers, who were incited to revenge by hearing an Indian boast he had scalped and killed their own father with many others. The people about Pine Creek became much alarmed and war threatened so seriously that the Government at once took steps for conciliation. In the "History of the Holland Purchase," pp. 332 and 333, are found some interesting data relative to this murder and subsequent treaty.

August 7, 1790, in a letter to his co-proprietor, Mr. Gorham, Mr. Phelps writes from Canandaigua:

"The Indians are now in great confusion on account of some Indians being inhumanly killed by the white people. I am this moment setting out with an agent from Pennsylvania to make them satisfaction for the two Indians murdered. I hope to be able to settle the matter, if I should not succeed, they will retaliate. I never saw them more enraged than they are at this time."

It appears that the mission of Mr. Phelps had no other effect than to induce the Indians to issue a kind of summons, dated August 12, 1790, addressed to the Governor and Council of Pennsylvania, signed by several chiefs, which said:

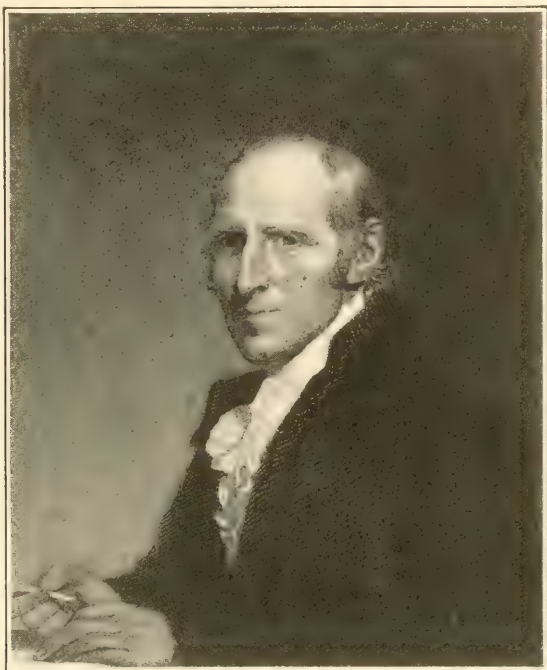
"Now we take you by the hand and lead you to the Painted Post or as far as your canoes can come up the creek, where you will meet the whole of the tribe of the deceased, and all the chiefs, and a number of the warriors of our nation, when we expect you will wash away the blood of your brothers and put it out of memory, as it is yet sticking in our head. * * * Brothers, it is our great brother your Governor (Washington) who must come to see us, as we will never bury the hatchet until our great brother himself comes and brightens the chain of friendship, as it is very rusty. Brothers, you must bring the property of your brothers you have murdered, and all the property of the murderers, as it will be a great satisfaction to the families of the deceased. Brothers, the sooner you meet us the better, for our young warriors are very uneasy, and it may prevent great trouble."

(The author adds that he does not know the sequel, but that such a state of things must have spread consternation over the new settlement.) We are glad to be able to give the complete extract, as Mr. Craft was doubtless right in thinking Col. Stone in error as to the cause for this treaty. In the same history, also in Upham's "Pickering," it is noticeable that Cornplanter's speeches concerning the Phelps and Gorham purchase were made *after* the treaty at Tioga Point. We will give Mr. Craft's account, as the papers relating to this treaty are not in Washington, and it can only be gleaned from Pickering's papers. President George Washington wrote to Timothy Pickering September 4, 1790, authorizing him to meet the Indians in behalf of the United States, and assure them that these murders were displeasing to the Government, etc. It was decided to hold this treaty at Tioga Point, and a trusty messenger was at once dispatched by Pickering to the Senecas, to which nation the victims belonged. The following is Pickering's message to the Senecas concerning proposed meeting²:

"Brothers, ——— I now inform you that I am appointed by him (the President of U. S.) to wash off the blood of our murdered brothers, and wipe away

² See Upham's "Life of Timothy Pickering," Vol. II, p. 456; last paragraph.

the tears from the eyes of their friends.³ For these purposes I will meet the relations of the deceased at *Tioga*, on Monday 25th day of October next—Our Great Chief desires that the chiefs of the Turtle tribe and other great men of your nation, will on that day come to *Tioga* with relations of the deceased," etc. "Philadelphia 4th Sept. 1790."



Timothy Pickering

³ Upham says: "While the specific object was to assuage the resentment—it was a matter of highest importance to prevent the Six Nations from joining the Western Indians then at war with the U. S." Col. John Butler and other British officials were using every effort, as was learned by Proctor, to bring this about." We also learn from Upham that it was *entirely* original with Pickering to suggest to Washington the introduction of the arts of husbandry among the Indians, rather than as some writers say, "a dream of Washington's." Upham further says: "Pickering was singularly adapted to it (councils with Indians). There were many particulars in his aspect, deportment and character that gave him great influence over Indians, and won their confidence and good will. His lofty stature, six feet; his broad athletic frame and powerful muscular development; the strength that marked every movement; his tread and gestures; his physical hardihood; and the energy, courage and firmness stamped on his face, words, and actions—were just what they admired. There was another point in which he possessed what is the greatest pride of an Indian to exhibit. Although naturally demonstrative, and in conversation or debate all alive, when in silence his face subsided into immovable and impassive composure which nothing could break; no external novelty, excitement, peril, bodily discomfort or pain, and no depth or force of internal passion or sentiment—could disturb the resolute repose of his features." With the Indians that is the last attainment of a great warrior. However, they paid him the highest compliment paid to any white man. They made him an honorary chief by giving him an Indian title, which shows, that though impassive at times, his face could be most pleasant. For they named him at once "Conni-sauti," and always so addressed him around the council fire. The name means the "sunny side of a hill." One can hardly imagine a finer tribute to a man who could appear as stolid as an Indian.

Having sent the message, Col. Pickering at once commenced preparations for the treaty with the assistance of Matthias Hollenback, to whom was committed the purchasing and transporting of necessary goods: customary presents, supplies, etc. In the Tioga Point Museum is the original invoice, framed and on exhibition. It is too dilapidated for reproduction, but here is given a copy:

Paper filed, "Timothy Pickering's Memorandum of the UNITED STATES Loading to the Indians, &c." This was for the Indian treaty of 1790:

"Invoice of Goods sent in M. Hollenback's boat to his store at Tioga Point, on account of the United States.

		cwt.	qrs.	lbs.	
One Bale Marked "P"	Weight	7	2	11	
" " " "	"	6	3	3	
" " " "	"	1	2	7	
" " " "	"	1	3	0	
" " " "	"	2	0	21	
" " " "	"	0	3	14	
" Cask " "	"	4	0	0	
" Trunk " "	"	2	1	24	
" Box " "	"		3	5	
Four Barrels Rum "	"	10	2	0	(each 2. 2. 14)
One Barrel (Hoes) "	"	2	0	0	
" Box Pipes "	"		2	4	cwt. qrs. lbs.
" Camp Kettle with crockery "	"		1	0	41 1 5
One Bale Marked "P"	Weight	4	3	10	
" " " "	"	2	1	7	
" " " "	"	1	2	14	
" " " "	"	1	3	19	
" Cask " "	"	1	1	14	
4 Quarter Casks Powder	"	1	0	0	
1 Cask (Tobacco)	"			18	
1 Package wooden bowls	"			11	
1 Straight Staved cask	"	1	0	21	
1 Tin kettle with crockery	"			13	
1 Keg tobacco "	"		2	4	
1 " " "	"		2	4	
1 " Spirits "	"		3	7	16 2 2
1 Markee in bag marked "T. P."			2	14	
1 Horseman's tent tied with a rope "T. P."			2	3	1 0 17
				58	3 24.

"N. B. If the markee and tent get wet they must be dried the first opportunity, as they will mildew and rot.

(The above invoice and note is in the handwriting of Pickering; under it is the following in the hand of Matthias Hollenback.):

"In Doct'r Hopkins' boat

"2 Bales } c qr lb

"1 Barrel } 4 1 0 which he will deliver to

"Guy Maxwell of Tioga.

"(signed) M. HOLLENBACK."

On the back of the invoice is written "*Timothy Pickering's Memorandum of the United States Loading to the Indians, etc.*" It will be observed prices are not given, but 58 cwt. of goods were quite valuable.

Colonel Pickering and his party reached Tioga Point October 17. Simon Spalding, of Sheshequin, who was highly esteemed by the Indians, was asked to be present. And then there was a long wait. What a time of excitement it must have been; the temper of the Indians led to many forebodings. At last, October 29, five runners arrived and announced the approach of 500 Indians. Here we will give an extract from Charles Erwin's "Painted Post," being the statement of Samuel Cook, made August, 1860, called by Erwin interesting and corroborative:

"When we came to Painted Post our goods from Tioga Point were pushed in a canoe up the Chemung river by my father; and our cattle, sheep and hogs were driven along the banks by mother and us children. In the Chemung Narrows we met a large party of Indians, who were going to Tioga Point to make a treaty. At first my mother was very much frightened, but the Indians were very civil and passed with their friendly salutation 'sachoo' how do you do, or 'sachoo-ca-cho,' how are you my friend.—I was then a boy, and now I am 81 years old."

Of course, these were the Indians the Snell boys saw pass their door. John Snell said they were a fine sight, with their feathers, brooches and blankets; it will be remembered, Mrs. Whittaker described the dresses of men as well as women covered with silver brooches and bells, even on the thongs that tied their moccasins. Many of these ornaments are to be seen to-day in the New York State Museum.⁴ During the period of waiting Col. Pickering wrote, Nov. 11, to a friend:

"I have been here waiting about a fortnight for the coming of the Indians, but they are not yet arrived. Some *white* villains among them who wish to make themselves important, have greatly contributed to this, though Col Spalding told me it is their usual practice to be dilatory. Mr Ellicott arrived last Tuesday. He says the British from Niagara endeavored to prevent this treaty. I have certain information of two hundred and thirty-four advancing, and stragglers may make up three hundred." November 15th he writes to his wife: "The Seneca Indians arrived yesterday. The chiefs say they expect some chiefs of the other nations, particularly the Cayugas, and desire to wait two days for their arrival. On Wednesday therefore I expect a speech from them in council.—They are of all ages, some very old and some infants. Last evening agreeably to my invitation the chiefs came to smoke a pipe with me, drink grog, and eat our bread, butter and cheese. This morning they have sent a message that their *ladies* will make me a visit. I did not invite them, but I must receive them in the same manner I did the chiefs.—Fortunately the young people staid at home, it being the season for hunting."

Col. Pickering states that this was designed to be a conference with the Senecas only, relative to the barbarous murder at Pine Creek, but that the Indians of other nations came with them, considering the injury done to them all. Maxwell reports Oneidas, Onondagas, Ca-

⁴ In 1851 Jesse McQuigg, a settler at Owego in 1788, was interviewed by Judge Avery. In the course of his story, he spoke of the Tioga Point treaty of 1790, saying: "Most of the Indians who assembled there came from the headwaters of this river. I saw them coming in their canoes. There were several hundred canoes, four to six Indians in a canoe; a good many squaws and young Indians. The canoes were of bark.

"It was a handsome sight as they approached—they came in a solid body, and with great regularity and uniform movement, some ornamented with feathers—some covered with brooches of silver, generally with white woolen blankets.—The Indian men had their rifles, tomahawks and scalping knives; also pipes and their kind of tobacco. They all landed here, and cooked and ate their breakfast. They were very good natured—all for peace. Their devices (totems of tribes) were cut upon their ornaments, worked into their garments with porcupine quills, and painted on. Leggings, loin cloths, blankets, headdress, moccasins and ornaments were their costume. Saw their wampum belts."—From "Early Owego Sketches," published in *Gazette* of 1907.

yugas, Chippewas, and Stockbridge or River Indians. Runners had been sent by sachems throughout the Six Nations, their message concluding: "*This is from your brothers, sachems, chiefs and warriors, walking to the big fire at Tioga Point.*" We suppose they encamped on or near the council ground, which was on the river bank, east of Episcopal Church edifice, though much of the land has now washed away. November 16, the first regular conference took place, Colonel Pickering making the following opening speech:

"Brethren, sachems, chiefs, and warriors of the Six Nations, I bid you a hearty welcome to this council fire, and thank the Great Spirit who has brought us together in safety, though I sincerely lament the cause of our meeting. I mean the murder of our two brothers of your nation at Pine Creek."

He then informed them the thirteen fires had become one fire, and that General Washington was the great chief of all the thirteen fires, and had appointed him as his representative, but that they must excuse him in his ignorance of their customs, as it was his first experience, adding:

"Brothers you now see my commission, which has been read and interpreted that I was appointed to wash off the blood of our murdered brothers, and wipe away the tears from the eyes of their friends, and this occasion is to brighten the chain of friendship between you and the *United States*."

Pickering then gave, as was the custom, strings of wampum to the principal chief, Farmer's Brother,⁵ who consulted with the chief near him, and then rose and thus spoke:

"Brother we thank the Great Spirit who has appointed this day in which we sit side by side, and look with earnestness on each other. We know you have been long waiting for us, and suppose you have often stretched up your neck to see if we were coming.

"Brother, we sent your letter to the Grand river to Fish Carrier, and we have been waiting for its return, but it has not yet come to hand; and therefore we can not yet properly enter upon the business. We must wait two days for the arrival of the Fish Carrier, or to hear from him. But, in the mean time, accept this belt as a pledge."

He then delivered a belt of wampum. Then Red Jacket⁶ arose, and spoke as follows:

"Brother, we are happy to see you here for which we thank the Great Spirit. Brother, you say you are not acquainted with our customs. Brother, we

⁵ Farmer's Brother, or Honayenus, and Red Jacket, or Sagoyewatha, were two prominent Seneca chiefs of this period. Thomas, son of Robert Morris, who was present at this and following treaties, and Thomas Maxwell have doubtless best described them. Farmer's Brother may have been born about 1730. "Beyond all doubt he was one of the noblest of his race—in both intellect and eloquence fully equal to Red Jacket, and infinitely above him in courage, and all the moral qualities. Though he spoke often he preferred being a warrior to an orator." He was well formed, erect and not addicted to the use of the degenerating "fire water."

⁶ Morris says: "When first I knew Red Jacket he was in his prime, probably about 36 years of age—decidedly the most eloquent man among the Six Nations—rather above middle size, well made. His eyes were fine and expressive of intellect of which he possessed an uncommon portion. His address, particularly when he spoke in council, was almost majestic. He was fluent without being rapid—decidedly the most graceful public speaker I ever heard. You could always tell when he meant to speak, from the pains he would take before he rose, to arrange the silver ornaments on his arms; and the graceful folds he would give to his blanket." On great occasions the Indian orators, Red Jacket and Farmer's Brother in particular, not only studied their speeches, but would send for interpreters to rehearse to, that they might be sure he understood them fully, and would translate accurately. For, as a rule, the interpreter often explained a long speech in a single sentence, losing all the embellishments and appeals to imagination. Red Jacket's efforts to train himself as an orator were, however, unusual in a savage; and worthy of emulation to-day when the teaching and practice of oratory are too often neglected. Red Jacket, while not in charge of this council, was quite

are young, but we will describe the ancient practices of our fathers. The roads we now travel were cleared by them. When they used to meet our brothers of Pennsylvania at Philadelphia, our brothers not only pulled the hatchet out of their heads but buried it. You say you have pulled the hatchet out of our heads, but you have only cast it behind you. You may take it up again. Brother, while the hatchet lies unburied, we can not sit easy on our seats. Brother, from the time we made peace with the United States we have experienced more trouble than ever before. The United States have also had their troubles. Brother, we now hear General Washington the great chief of the United States speaking to us by you, and hope our troubles will now have an end. But our eyes are not yet washed that we may see, nor our throats cleared that we may speak."



SA-GO-YE-WAT-HA
(Red Jacket)

prominent, and showed such violent prejudice against the United States that Pickering had to exercise great tact.

He is said to have received his English name from a red coat given him by a British officer, which he loved to wear. His Indian name Pickering gave as Soo-que-ya-waun-tan, meaning "Sleeper wake up," supposed to be suggestive of his wonderful oratory. According to his own story he was present at a great council fire at Shenandoah, Va., when a child, and heard the great Logan speak. He then resolved to devote himself to public speaking, and to follow Logan as a model. From that time on, it was his custom to go into the forest and practise, especially if he could find "roaring water," that he might learn to raise his voice and speak to great numbers. One of his favorite resorts was the great waterfall near Havana, N. Y., which he called She-qua-gah, the place of the roaring waters. He would be long absent from the cabin, and when his mother remonstrated would tell her he had been "playing Logan." Thus, like the ancient Greek who tuned his voice to the ocean's roar, he became a profound though unlettered student of oratory. He said of himself: "I am an orator; I was born an orator." Later, he practised to the sound of Niagara, and refused to have his portrait painted with any other background. Stone, in his "Life of Red Jacket," says that he was at first averse to having his portrait painted, but, having once yielded, there seemed to be a fascination about it, and he went to the other extreme. He sat three times to a self-taught artist of Rochester, who may have painted the portrait here reproduced by courtesy of H. H. Billings of Elmira. This portrait, with one of his wife, are said to have been executed for the Maxwell family, at Red Jacket's own instigation, but there is no artist's name. The Maxwells, father, son and granddaughter, were adopted by the Indians, the latter into the family of Red Jacket.

To this Pickering responded as follows:

"Brothers, you say I have only pulled the hatchet out of your head, and have not buried it, and while it is unburied you can not sit easy on your seats. Brothers, in declaring that I pulled the hatchet out of your heads I meant to comply with your own demand to the president and council of Pennsylvania, which was that he should come and pull the hatchet out of your heads. However, to give you entire satisfaction on this point, as the hatchet is already pulled out of your heads I now bury it, and pray God that it may remain buried, and that its sharp edge may never more be seen. Brothers, the United States has no wish but to live with you as brothers in perpetual peace. Brothers, I now wash off the blood of your murdered brothers, and the tears from the eyes of their friends."

Pickering then drank their health and served them round with a glass of rum. The principal chief, Farmer's Brother, then spoke again, saying:

"Brother, you have now taken us by the hand, and washed our eyes; our women expect that you will show them equal attention. They are here waiting your invitation to receive the same tokens of your friendship which last evening you gave us. Perhaps in taking them by the hand you may see one who will please you."

There was a general laugh at this humor. Pickering then addressed the women:

"Sisters, I am very glad to meet you here, I have seen agreeable women of various complexions, and doubt not, such may be found among you. I invite you to my quarters, where we may eat and drink together in friendship. I now take you by the hand as my sisters."

He then went round and shook hands with every woman present. While we have no other record of it, Colonel Franklin writes in his little diary:

"Nov 15 Monday This night the Indians had a dance at the council house at the point."

It must have been a huge cabin, if it does not mean just the treaty ground. Major Snell said that they resorted to the ridge for games and lay on the brow of the hill to sun themselves. This must have been the natural rise of ground or top of the bank along the river at this spot.

There is little doubt but that Red Jacket came to this treaty of 1790, resolved to make trouble. But this was averted by the tact of Pickering, ably advised and assisted by Simon Spalding, Matthias Hollenback and Daniel McDowell, all more familiar with the Indian character than Pickering. He, although previously unacquainted with Indians, proved as wise and as wily as in settling the disputes at Wyoming between the land claimants. We regret that Franklin did not attend this treaty. But aside from the fact that he was hastening to Wyoming to be married, he was no doubt averse to meeting his former foe, Pickering. The treaty lasted a week or longer, the first Indians having arrived on Sunday, November 14, and the last conference being November 23.

Colonel Pickering thus reports further:

"Upon conversing with some of the principal chiefs, I found that the delivery of a mourning belt to the head of each family to which the murdered Indians belonged was an invariable custom among themselves, and that without

it an injury could not be forgiven. As I had none, the chiefs undertook to inquire among their people for suitable belts (of wampum) and, I agreed to purchase them if obtained. I also found that when I should deliver the belts they expected me to make a particular address to the relations of the deceased. The belts were procured, and on the 22d of November before the council fire was covered, I addressed the whole body of Indians, in the following speech 'Brothers, the business for which this council fire was kindled is now finished, The hatchet has been buried, and the chain of friendship is made bright; but before the fire is put out I must address a few words to the relations of our two murdered brothers. My friends you are now assembled to receive the last public testimony of respect to the memory of our two brothers whose untimely death we have joined in lamenting. Mothers, you have lost two worthy sons from whom you expected support and comfort in your old age. You appear bowed down with sorrow as with years. Your afflictions must be very great. I also am a parent, of many sons, the loss of any one of whom would fill me with distress, I therefore can feel for yours. Brothers and sisters, you have lost two valuable relations, whose assistance was useful, and whose company was pleasing to you, and with whom you expected to pass yet many happy years. With you also I can join in mourning your misfortune. Mothers, brothers and sisters, let me endeavor to assuage your grief. You enjoy the satisfaction of remembering the good qualities of your sons and brothers; of reflecting that they were worthy men; and of hearing their names mentioned with honor. Let these considerations afford you some comfort. * * *

"Mothers, to manifest the sorrow of the United States for the loss of your sons * * I now present to you these belts. Brothers, the stake has been stuck into the ground, and it has been pulled out in the presence of you all. We have put into the hole all of our troubles, and stuck in the stake that they may never rise again."

On the following day Pickering delivered to the Indians the presents from the United States (already given in invoice). Craft says:

"These ceremonies terminated, renewals of friendship secured, satisfaction given and taken on both sides, the council fire was covered up, the Indians returned to their homes, and Colonel Pickering repaired to Philadelphia to report his doings."

Thomas, son of Robert Morris, was present and was formally adopted by the Indians. There is every reason to believe that the Indians went directly to Philadelphia from Tioga Point. We are told that during this council Red Jacket brought up the discontent of the Iroquois over the Phelps and Gorham purchase. It is said his feelings were mollified, and Pickering relates that he was as obliging in private council as he was intelligent. No doubt Pickering advised another council to consider this larger and different matter. We read that the complaint was made at Philadelphia in December (the very next month), which led to another treaty the next summer. In Craft's chronicles of Sheshequin he tells that at the time of this treaty of 1790

"About 300 warriors in full gala dress passed down the Susquehanna and encamped on the Sheshequin Flats. Their whoops and war-dances, though terrifying, still became interesting in the extreme. Gen. Spalding contributed to their frolic and *cuisine* at the same time by giving them six good running hogs for capturing and cooking. The race was a long and exciting one. They cooked those shoats with corn and beans, *sans* dressing, and called the mess ump-a-squanch.

"On their return from Philadelphia they stopped at the same place and challenged the whites for a foot-race. The challenge was accepted, and William Witter Spalding selected as the champion of the settlers, and won the race. This gave umbrage to the Indians, and then Spalding challenged *them* to run a mile,

but it was refused, and peace was maintained with much difficulty, the Indians drawing their knives for fighting."

Simon Spalding had a peculiar tact with the Indians, and "rarely failed to provide good cheer and sport on their frequent visits to his home."

As Mrs. Perkins has given many interesting details of the treaty of 1790, we will not repeat them, but pass on to that of 1791. It is a matter of record that in December, 1790, a deputation of the Six Nations were at Philadelphia asking Washington's aid to amicably settle the dispute in regard to Fort Stanwix treaty. In Pennsylvania Archives, second series, Vol. IV, pp. 626 to 638, will be found the speeches of the chiefs Cornplanter, Half-Town and Big Tree, addressed to Washington, or, as they call him, "*The Great Councillor of the Thirteen Fires.*" The allusion to the Sullivan Expedition is of special interest, also the appeal for teachers in agriculture. The whole of these speeches are typical of the attitude of the Iroquois at that time. We commend them to our school boys, knowing they will enjoy them, giving here only brief extracts. Cornplanter said:

"When your army entered the country of the Six Nations, we called you the 'Town Destroyer,' and to this day when that name is heard, our women look behind them and turn pale, and our children cling close to the necks of their mothers. * * * The men (English) told us you were children and had no guns, that when they had shaken you, you would submit. We hearkened to them, and were deceived until your army approached our towns. We were deceived, but your people, in teaching us to confide in that King had helped to deceive us, and we now appeal to your heart—is the blame all ours? * * * Father, We ask you to teach us to plow, grind corn, etc., above all teach our children to read and write, and our women to spin and to weave."

This conference did not end until February 19, 1791. The same volume tells that early in March Washington sent Col. Proctor to the Indians of the Northwest.

Col. Proctor, who had been with Sullivan, kept an extensive journal (published in same volume Archives), which gives a valuable picture of the Susquehanna Valley at this period.

For some reason unknown he was given sealed instructions; not even his family was to know his errand. We will quote at length from him at the end of this chapter; a perusal of which will show that Proctor held a secret council at Squawky Hill April 1st, and one at Buffalo Creek April 27.

Measures were taken by him to hold a council at Painted Post June 17, 1791. Painted Post seems to have been the most southern point at which the Indians made a last stand or settlement. It was a favorite hunting ground, and canoe-making was also specially easy in that locality. Col. Pickering was again appointed by Washington to manage the conference. As this involved far more people, a large attendance was expected. Sixteen hundred *may have been* present: Pickering records "*not more than five hundred*" at Tioga Point and "*upwards of a thousand*" at Newtown. Another letter to his wife is here inserted from Upham, Vol. II, p. 493:

"Tioga Point, Tuesday June 14, 1791.

"I arrived here this morning in perfect health. The waters of the Tioga River are so low that the provisions and stores can be got up no farther than

Newtown Point, about twenty miles from this place; where of course the treaty will be held. There are many inhabitants in that neighborhood, so that *living* will be more agreeable than at the Painted Post. I purpose however to visit the latter place, shall probably go as far as Col. Lindley's." The next day he writes again: "On Tioga River five miles below Painted Post—I am now at Major McCormick's. Before I decide where to hold treaty I mean to see some of the Indian chiefs, and, if I can make them satisfied will hold treaty at Newtown Point, otherwise we must draw up the provisions and stores to the Painted Post, drawing the loaded canoes with oxen, where the water is too shallow."

July 1st he reports the treaty as to be at Newtown, nine hundred having already arrived, and writes of his son's attendance at a dance held by Indians the night before.

Thus it will be seen that, although this is known in the Archives as the "Treaty of Painted Post," it was held at Newtown Point, beginning June 21, 1791, and lasting three weeks. The following invoices of goods⁷ go to prove that it would have been a serious task to "push" such quantities up the river with low water:

"COL. TIMOTHY PICKERING

"In Account With

"MATTHIAS HOLLENBACK.

"June & July, 1791.

DR.

To Sundries furnished for the use of the Treaty held at Newtown Point,
viz:

T. P.	" 100 Bushels of Wheat delivered at Tioga	@ 5/—	£ 25.			
	" 20 " " "	4/4	4.	6.	8	
	" Paid John Shepard carriage of the above to and from the mill		1.	13.	4	
	" 16 Bushels of Wheat delivered at Wyn- koop's Mill (Carriage 5/—)	@ 5/—	4.	5.	4	
	" Paid John Shepard for 9 four bushel flour barrels	3/—	1.	7.	4	
	" Paid John Shepard for 6 common flour barrels 9/— and cooping	@ 5/—	1.	14.	4	
	" 6 Flour barrels & 3 delivered from Wyn- koop's	17/6	1.	17.	6	
	" 1 Cask nails 1/8 packing and heading the flour casks	3/9	1.	5.	5	
	" G. Maxwell going to Shenang ⁸ for some stall fed Beef Cattle, 3 days @ 7/6 per day and expenses	10/—	1.	12.	6	
T. P.	" Carriage of 59 cwt. of U. S. Goods from Wyoming to Tioga Point with flour, first load, 4 days @ 7/6	£ 1.	10.			
	4 Working hands for same time @ 3/- per day each	2.	8.			
	1 1/2 lb. chocolate 3/-					
	3 1/2 # of Sugar 3/8	6.	6			
	3 Gallons of whiskey 18/-					
	change to buy milk 4/-	1.	2.			
	7 Loaves of bread 9/- meat 18/-	1.	7.	6.	13.	6
	" 41 1/2 lb flour delivered the Oneida In- dians on the way up				7.	

⁷ This invoice is taken from Matthias Hollenback's own account books.

⁸ Chenango.

	"	The Boat and hands conveying a load of U. S. Goods From Tioga to Newtown Point, 3 1/3 days with provisions furnished	5.	15.	
	"	Daniel Minier's Acc't of Carriage of goods to the boat &c.		6.	6
T. P.	"	4 Rum Kegs delivered to the Indians, not returned		12.	
T. P.	"	Carriage of 4 Rum Kegs to Painted Post		3.	6
T. P.	"	90 3/4 Gallons of Whiskey delivered at sundry times	@ 6/—	27.	4. 6
T. P.	"	30 1/2 gallons and 1 pint of Rum delivered at sundry times	7/6	11.	9. 9
T. P.	To	33 Bags (or pounds) of Vermillion, del. sundry times	@ 11/3	18.	11. 3
T. P.	"	2 pair of shoes for Capt. Hendricks 22/6, 4 Powder horns	20/—	2.	2. 6
T. P.	"	15 1/2 Qts of wine del. at sundry times @ 10/— per gal.		1.	18. 9
	"	7 Barrels of flour equal to 42 Bushels of Wheat	@ 5/—	10.	10.
	"	7 Flour Barrels 14/—, 62 Pipes, 5/2, Expense for 4 Chiefs at Painted Post 7/6		1.	6. 8
95 pipes					
T. P.	"	4 Bushels of Corn from John Dillson 10/—, 33 pipes 2/9		12.	9
Carried Forward			£142.	10.	1
T. P.	To	3 1/2 Doz of large silver Broaches @ 11/-	1.	18.	6
T. P.	"	4 Yds ribbon for Smith 6/8; 2 lb. of Soap 2/-		8.	8
	"	4 1/2 Bushel of potatoes; 8. 5 1/2; 4 1/4 Bushels of corn from Brown 10/7 1/2		19.	1
	"	72 Bushels of corn taken from Tioga @ 2/6	9.		
	"	Carriage of the same together with 3 bales of U. S. Goods & 5 Barrels from Tioga to Newtown, The Boats and hands with 3 days provisions	5.	15.	
	"	Carriage of 6 barrels of Flour & 2 Bales from Tioga to Newtown	1.	15.	
	"	23 1/2 Bushels of corn delivered by A. Shipper @ 2/10	3.	6.	7
	"	78 Bushels of corn delivered at Painted Post @ 2/6	9.	15.	
	"	9 " " " " at Newtown 25/6, 10 Bushels of potatoes 18/9	2.	4.	3
	"	4 7/8 bu. of salt 58/6, Teapot 3/-, 8 1/2 Bu. corn @ 24/1	4.	5.	7
T. P.	"	4 Butcher knives for the Stockbridge Indians		7.	6
T. P.	"	2 Rifle guns delivered Capt. Hendricks	11.		
	"	62 Bushels of corn taken from Tioga @ 2/6	7.	15	
	"	43 Bushels of wheat taken from Tioga 5/6	10.	15	
	"	Carriage of wheat and corn from Tioga to Newt.	4.	15	23. 5.
T. P.	"	2 Powder horns 10/-, 1/2 lb Powder 2/-, 1 doz. Pipe heads 2/-			14.
	"	28 Bushels of potatoes delivered at Painted Post @ 1/10 1/2	2.	12.	

T. P.	"	1/2 Yd. Cambrick, 1 Skean of thread 1/2 delivered to Capt. Hendrick	6.	4
5 Knives				
T. P.	"	5 Bushels of corn 14/2; 5 Butcher knives for Smith and Wm. George 9/4	1.	3.
	"	29 1/2 do do do rec'd from Gardner, son-in-law 2/10	4.	3.
	"	20 do do do & 6 Bu. from Carpenter &c. 2/10	3.	13.
T. P.	"	Paid for fowls, Wm. George	4.	8
Pepper				
T. P.	"	4 1/8 Bushels of corn received of Roberts 11/9 Pepper for Capt. Solomon /6	12.	3
	"	2 Yds Woosted binding		6
	"	20 Bushels of corn delivered by Isaac Baldwin @ 2/10	2.	16.
	"	8 1/4 do do received of Steele 23/6, 1 Quire of paper 2/3	1.	5.
quire paper				
T. P.	"	25 do do recd of Kinney & Kelsey @ 2/10	3.	10.
	"	25 do do recd of Joel Thomas @ 2/10	3.	10.
		Thomas,		19.
	"	1 3/4 stroud, 21/-, 1 pr mockisons 3/- by Smith's ord.	1.	4.
	"	4 lb Powder 12/-, 4 Butcher knives 7/6 Delaware		
	"	Cash paid Daniel Crygan for salt	4.	2
Carried Forward			£243.	13.
T. P.	To	1 Butcher knife 1/10 1/2, 2 yds Cotton Calico 12/- Fr O'Biels son Mark	13.	10 1/2
T. P.	"	8 yds cotton calico 38/3; 1 silk hkf, 7/6; 1 3/4 yd blue cloth 21/- delivered Farmer's Brother by order of Parish	3.	6.
T. P.	"	8 1/2 yds calico delivered an Indian by order Parish	1.	14.
T. P.	"	1 Kirb Bridle for O'Biel's brother 10/-, a canoe 25/- Fork 23/5	1.	13.
	"	57 Bushels wheat at Tioga 5/-	14.	5.
	"	Paid Carriage of the above taken in two different loads in canoes from Tioga to Newtown	2.	9.
	"	Hauling grain to and from Baldwin's mill, for Shippen act. The Boat and steersman going from Newtown Point to Baldwin's mill and back	7.	6
	"	101 Heads & plucks delivered the Indians @ 5/-	25.	5.
	"	5 Hogsheads (fell to staves) taken up with grain &c 5/-	1.	5.
	"	Carriage of Grain from Wynkoop's landing to the Mill	8.	6
Supra CR.				
By		1 Barrel of Flour	£1.	17.
"		The old flour casks sold	15.	6
			£2.	13.

"I certify that the foregoing is a true copy of the charges exhibited by Colo. Matthias Hollenback, which are not supported by vouchers.

"Pay Office

"L. CATLIN, clerk."

"Philadelphia, 29 August 1791."

"(The above is filed as 'A Copy of the Acct. of some things not allowed in my first charge &c; United States, &c.')

AUTHOR'S NOTE—If these are only "*some things*," we wonder what were all the *other things* in the "*first charge*." Surely, the Indians were well treated!

T. P. evidently are the initials of Timothy Pickering, and indicate goods ordered by him. Wyncoop's Mills and Baldwin's Mill, both located between Chemung and Newtown, indicate that the settlers no longer had to take their grain to Wilkes-Barré to be ground. Pickering wrote to his wife of great difficulty experienced in getting sufficient grain ground.

Further search among papers of Matthias Hollenback gives this additional note or letter:

"Sir:

"In addition to the supplies & disbursements charged in my account, I have now closed the same with a charge of £20.5.0 for Purchasing all the corn wheat and potatoes, for attending the carrying of the same to Mill, Grinding, getting flour Casks, for forwarding the same to Newtown Point, with all the United States goods from Tyoga to Newtown, for Employing hands for the boat & canoes, for delivering or issuing the Meal corn & potatoes to the Indians from day to day as it was call'd for—Going twice to the painted post to deliver provisions myself, and for sending Jacob Hart twice to the same place from Newtown point, in all thirty-six days at a dollar and a half a day.

"This charge I trust you will think reasonable; for you saw the great trouble which attended the procuring of the extra supplies of grain from a variety of places, often in small quantities, as they could be obtained; and in getting them transported. The daily issues of flour corn and salt also occasioned a very considerable expense to me, by obliging me to employ more hands than were requisite for issuing the beef.

"The charges for the actual transportation exhibit only my disbursements in that service. The making provision for the transportation, superintending it, and performing the other services herein mentioned, were equal to the services of two good men during the thirty-six days mentioned.

"To T. P.

"M. H."

"I certify that M. H. performed the services above mentioned at the late treaty with the Indians at Newtown Point.

"T. P."⁹

Of this treaty there are not only War Department Archives, but Thomas Maxwell wrote of it from the recollections of his father, Guy Maxwell, Capt. Geo. Gardner and others who were present. Guy Maxwell acted as clerk for Pickering at Tioga Point, and transcribed the treaty.¹⁰ He had been at Tioga Point for several years and become acquainted with them as clerk in Hollenback's trading post. The Indians encamped in the westerly part of the village; their wigwams

⁹ The above is from a copy in the handwriting of Col Pickering; not dated nor signed, except with the initials of Hollenback and Pickering.

¹⁰ In connection with these treaties should be mentioned the adoption by the Iroquois Indians of Guy Maxwell and his descendants. It will be remembered that Guy Maxwell acted as secretary to Pickering at the Tioga Point council, and at Newtown. The Indians, especially Red Jacket, looked upon him with favor, and in 1792 he was formally adopted by the Senecas, and given an Indian name, Ta-ce-wa-yase, meaning the *honest trader*. His son Thomas was born at Athens the year his father was adopted, and he was shown the same favor in 1804, when he was only a little lad, being given the name He-je-no, meaning the *brave boy*, and adopted by a Tuscorora family. Later in life he became an Indian agent, and made many notes on the Indians, which were in his daughter's hands, and which since her death we have been unable to trace. As has already been said, Red Jacket had his portrait painted for Thomas Maxwell; they were warm friends. *Eighty years* after the formal adoption of Thomas Maxwell his daughter Harriet (later known as Harriet Maxwell Converse) was formally adopted by the family of Red Jacket, and had many mementoes; for instance a necklace made of 70 little silver brooches, which had been worn by Red Jacket; also his Masonic pin. The name given her was Ga-ie-wa-noh, meaning "She who watches us." Dr. Beauchamp says she had two names, but a second was never mentioned in a personal correspondence held with the writer, although at her death the Indians, who came to do her honor, called her "The Great White Mother." She was finally made chief of a tribe or clan, an honor vouchsafed to no other white woman. These formal adoptions were quite ceremonious, with songs and addresses, and of great importance to the Indians. Mrs. Converse worked actively through her life among and for the New York Indians. See Chapter XI.

extended from Baldwin Street to the upper part of the village. Some conferences were held under the so-called Council Tree, on the flat east of the court house, near the corner of Conongue and Market Streets, on land owned in the late sixties by Hector M. Seward, who about 1868 cut down this famous tree. The treaty was concluded, according to Maxwell, on the flats where the State Fairs were held, on ground belonging to the Arnot family. Colonel Hendy, Eleazer Lindley, William Jenkins, Matthias Hollenback and other noted pioneers were present. This council was a most memorable one; the Indians claimed that they had only rented the land to Phelps and Gorham, that they had been deceived, etc. Cornplanter and Red Jacket were the most prominent participants, Red Jacket showing greater oratorical powers than ever. It seems that "it was a pet scheme of General Washington to induce the Indians to become agriculturists, and he instructed Pickering to advance the idea at this time, making them liberal offers." Red Jacket, who had always opposed every effort toward civilization, "*exhibited his greatest powers of mind in opposition to this proposition.*" The effect of Red Jacket's effort was the rejection of the proposals by all but the tribe of Cornplanter. Five tribes were represented, and Col. Hendy counted 1400 (including squaws) who passed his door when conference ended. All difficulties were amicably adjusted by Pickering's shrewdness. The chiefs finally not only acknowledged the release from the Six Nations given to Phelps and Gorham, but assured Pickering that they were satisfied with the treaty of Fort Stanwix; also that the statements made by Red Jacket at Tioga Point in November, 1790, were unfounded and mischievously intended. A certificate to this effect was signed by Pickering July 26, 1791. Thus this treaty terminated in a very satisfactory manner. Maxwell says:

"There is also the examination of Matthias Hollenback, *who was present at the treaty* of Fort Stanwix and also at Newtown, taken before Judge Paine of Tioga County on 14 July, 1791, showing the fallacy of these complaints—also depositions of Lee and Lindley¹¹—and a statement of the allegations made before Pickering by Red Jacket at Tioga Point 21 November 1790."

According to American State Papers, this treaty was important because (in spite of Red Jacket's protest) it first suggested primary principles of civilization, and doubtless led the United States Senate to decide in March, 1792, to expend annually \$1500 for clothing, farm implements, etc., for the Indians. At this treaty Pickering was induced to confirm to the Cayuga Indians the right to lease land in New York State for a period of years. This was really a State right, and Pickering's act was disowned by the Government, though his action was justifiable. Some of Cornplanter's speeches in connection with the

¹¹ This deposition seems to have been taken anticipating difficulties; or possibly later, to prove where treaty was held, as General Washington carelessly reported it to Congress as the Painted Post Treaty. In his notes for Schoolcraft, in 1853, Thomas Maxwell stated that he then possessed a paper signed by General Knox, Secretary of War, saying that the treaty of 1791 was held at Newtown, *not* Painted Post. Mrs. Converse wrote us a few years ago that her father had invaluable notes and mss. for which inquiry has recently been made in vain. He himself notes a collection of reminiscences concerning Sullivan's Expedition, and notes on Indian manners and customs, on which subject he lectured several times.

M'helps and Gorham purchase are to be found in "History of the Holland Purchase," p. 335; wonderfully interesting, too!

In 1794 another treaty was held at Canandaigua, also conducted by Col. Pickering, and from that time the Indian difficulties seem to be settled, and this ended Pickering's Indian negotiations. There is a curious bit of history that here comes in our way, to which a brief allusion may be of interest. The British posts at Niagara and Oswego were not relinquished until 1796, and Governor Simcoe of Canada seems to have made all the trouble he could, threatening the whites and inflaming the Indians. About this time Simcoe was visited by the French traveler, Duc de la Rochefoucauld Liancourt, who says:

"He (Gov. Simcoe) discourses with much good sense on all subjects, but his favorite topics are his projects and war, which seem to be the objects of his leading passions. No hillock catches his eye, without exciting in his mind the idea of a fort which might be constructed on the spot, and with the construction of this fort, he associates the plan of operations for a campaign, especially of that which is to lead him to Philadelphia."

His aim was supposed to have been to embroil the frontiers of western New York in difficulties which would end in war, when he, at the head of a British army, would take the high road to Philadelphia and fame. The following notice seems right in line with Simcoe's schemes:

"Maryland Journal, Nov 21, 1794.

"Whitestown Nov 5.

"A gentleman direct from Canandaigue informs us that 1600 Indians had come in to the treaty on Monday Se'nnight, and that a British Indian agent Wm Johnson, and an Indian interpreter from Niagara had found means to collect 26 chiefs in a bye-place, and were using the most persuasive acts and offering large presents to induce the Indians to turn their arms against the United States. The meeting broke up in a disorderly manner. The inhabitants were greatly exasperated at this insolent conduct, of British agents, and gave out if Col Pickering did not cause their arrest, they would inflict upon them the Yankee punishment of tar and feathers." The same paper records later "that the Genesee treaty has terminated much to the satisfaction of the commissioner of the United States."

This concerned Tioga Point, because it lay on what was called the "*Great Trail from the Susquehanna to Niagara*." As early as 1787 (and doubtless earlier still) drovers often went through from Jersey with cattle for the garrisons at Queenston and Niagara. One Silas Hopkins relates that he and his father came through over Sullivan's road as far as Tioga, and thence over Indian trails. A number of young men were along to see the country. He says the Indians were very friendly, but "levied tribute by selecting a beeve from every drove" as they passed through their principal towns. The drovers thought best to submit without murmur. Soon it became known that many emigrants and drovers with large sums of money were continually on the "Great Trail," and robbers were attracted to it. Hopkins says his father was once warned by Col. Hollenback that there were a couple watching for him, who eventually were arrested. Occasionally these drovers found a pioneer needing help to erect the frames of house and barn; they always stopped and helped "raise." At times there was such a steady stream of emigrants over the Great Trail that an old pioneer says:

"I have heard it observed that in winters, one party on leaving their camp, would build up large fires for the accommodation of those who followed them, and in this reciprocal way, fires were kept burning at all the camp grounds."

One or more treaties were held at Otseningo or Chenango Point about this same period (June, 1786 or '87) by the projectors of the Boston Purchase. As this was not closely connected with the Tioga Point Indians, detail seems unnecessary here.

Trading Posts and Traders.

According to "Colonial Records" (see Vol. VIII) the Indians early asked to have trading posts established. At the treaty at Easton (1761) a Cayuga chief thus spoke:

"We are very poorly off, as we have no trade stirring among us, and, as we have mentioned to you, the things we buy from General Johnson are very dear, we hope that you will have pity on us, and erect a *Trading House at Diahoga* that we may be able to buy our goods cheaper. We are in great want of all kinds of goods—and hope you will supply us plentifully. We desire you would *not allow any strong liquors* to be sent, as we can fetch that ourselves.—We desire that you will send a good and honest man to trade with us."

Governor Hamilton replied that they had great stores at Pittsburg and Shamokin, and could not set up another "at so great a distance as Diahoga."¹²

Unquestionably many of the solitary pioneers came as Indian traders, while we do not know positively about all of them. They gradually pushed further into the country, as they found it was safe. William Miller, who was east of Athens in 1784, was an Indian trader, afterward found at Newtown. Amos Draper,¹³ one of the pioneers of Owego, was another. Jesse McQuigg, an early Owego settler, said "The Indians all looked up to Amos Draper as a God." He had more influence with them than any other man in the country. In adjusting the Boston Purchase no one could bring the Indians to terms except Draper, who came and stayed with them three days. They called him Qua-su (*Bigman*). He began trafficking with the Indians so early that it seems quite possible he was associated with Anderson and Ogden. He was living at Choconut in 1784. "At Painted Post the first habitation of civilized man erected in Steuben County was built by William Harris, an Indian trader—a Pennsylvanian, who not long after the close of the Revolutionary War pushed up the Chemung with a cargo of Indian goods to open a traffic with the hunting parties of the Six Nations. The savages manifested much zeal in promoting the establishment of a trading post at the head of the Chemung; before that they had to go to Tioga Point, nearly fifty miles below, to buy their powder, liquor, knives, bells, beads and jewsharps." Matthias Hollenback had stores at Wilkes-Barré, Wysox, Tioga Point and Newtown. John Shepard engaged as clerk for Hollenback and Weiss at *Necetoten* in December, 1784, and then concluded to go farther into the

¹² It may have been this appeal which led "the honest Quaker" to establish the post at Sheshequin (in 1765) already mentioned.

¹³ Amos Draper was a son of one of the first settlers at Kingston. He began "trafficking with the Indians" up and down the river very early, from Nanticoke to Choconut, where he was in 1784. He had great influence over the Indians, whom he treated with integrity.

country; and made his first business venture by taking 158 pounds of goods on packhorses first to Catherine's Town and then to Canoga, on Cayuga Lake, whence he sent his man back with furs and skins to exchange for more goods at Weiss and Hollenback's. He bought and sold guns, flour, brooches and blankets, and made two different expeditions to Canoga, nearly opposite Aurora.

Col. Proctor's Journal. (Pennsylvania Archives, Vol. IV.)

This journey was made on horseback, with the understanding that he was to stop at no difficulties until he gained the settlement of Cornplanter on head waters of Alleghany River.

"March 19th, 1791.

"Arrived at Wilksburg¹⁴ about eleven o'clock; Had I known that Wilksburg was my route to Cornplanter's I should have went through Bethlehem, which would have been fifty miles nearer than the way I went; spent the afternoon at our lodgings with Colonel Butler and Captain Grubb. The latter part of the evening I accompanied Colonel Pickering, prothonotary of the county and late adjutant general of the armies of the United States.

"March 20th.

"This day we set forward for Captain Waterman Baldwin's; arrived there in the evening; halted for him part of two days as I had orders to take him with me to the residence of the Cornplanter, at which place he was intended to act as instructor of the Indian youth, as also a director in the mode and management of agriculture for the use and benefit of the Indians. This gentleman was made prisoner by Cornplanter during the late war, and was treated by him with remarkable tenderness until legally exchanged.¹⁵

"March 22nd.

"Encamped this evening in the woods thirteen miles from Lahawanock, on the water of Buttermilk falls. This cataract has a beautiful appearance from the river. It falls upward of eighty feet; and the place it issues through on the top of the mountain is about six in width, and its torrent is so strong that it is sufficient to serve many mills at one time.

"This place I had the opportunity of examining minutely when going on the expedition with General Sullivan against the savages in the year 1779, at which time I had the command of 214 vessels on the Susquehanna, taking with me the provisions and stores of 6,000 men. We then anchored off this cataract in the afternoon of the 1st August, and I landed and passed to the top of the sufficient to serve many mills at one time.

"March 23rd.

"The Susquehannah being so extremely high and all the waters leading thereto, compelled us to quit the river road and go by that lately cut (though not cleared) by John Nicholson, Esq., comptroller general of the State of Pennsylvania.

"Encamped this evening with some sugar boilers in a hut not finished. The promoter of this manufactory, which appeared to be very extensive from the number of kettles and apparatus belonging thereto, is the comptroller of the State of Pennsylvania; and the conductor of the works, Mr. John Jones, of Northumberland County. They were unfortunate enough two days before to lose most of their provisions by the oversetting of a canoe in the main branch of the Lahawanock; but, of the provisions we had, we gave to them what we could spare, preserving what we thought would take us to Tioga Point, supposed 86 miles. The taking of this road which is cut about 20 feet in width, the trees lying across the same and in every direction, was not a matter of choice but necessity. By the taking of this we escaped some deep waters.

¹⁴ Wilkes-Barré (from Philadelphia by way of Reading).

¹⁵ Waterman Baldwin was a brother of Thomas; both were soldiers during the Revolution. He was chosen by the Indians in the presence of Washington as their agent; Cornplanter having adopted him when a prisoner to save him from death at the stake. He was given a fine horse named Roanoke, with silver mounted saddle by U. S. Government, and made many trips between Cornplanter's and Washington (told by the family).

"March 24th.

"We arrived at the cabin of Richard McNemara, fed our horses with the corn we brought with us, for he had none but about two quarts for his own use; they however, provided us with a dish of rye coffee, made fine with the pole of an axe on a smooth stone, and maple sugar as bright and as well tasted as the best 8d sugar in Philadelphia; and as they deemed it would be charity to us, they gave of the juice of the maple, which appeared as clear as the limpid stream and pleasant to the taste and deemed very wholesome; paid for eating 3s. 9d. We were obliged to encamp early this afternoon under a very heavy storm of rain, thunder and lightning, and what is very remarkable, the snow was in general fifteen inches deep on the ground.

"March 25th.

"We still traveled by the way of Nicholson's road, till we reached the one cut by Mr. Ellicott, geographer to the United States, which leads to the great bend on the east branch of the Susquehannah, and to describe the same it is hardly possible, but to say the least of them, there is none can equal them for height of mountains, and swampy valleys. Encamped this night ten miles from Tioga Point; heavy rain as usual, our horses worn down and ourselves more than commonly fatigued; had naught to eat ourselves or for our horses; and I may say with propriety, that until we arrived at Tioga, to save our horses, we travelled on foot more than half the way from the town of Reading.

"March 26th.

"We arrived at the ferry¹⁶ at Tioga Point, crossed to the flats, paid ferryage, 3s. 9d.; repair of horse shoes, 5s. From thence we proceeded on our way to Newtown point, and lodged at the house of Mr. William Wynkoop. At Tioga Point I was compelled to purchase a pack horse, as the route we had to take from the Painted Post to the Genesee, was not inhabited, which, by computation, was 99 miles. Captain Baldwin also purchased another horse, the better to enable him to carry on the farming business for the Cornplanter, and for which I advanced him 75s., to be accounted for by him in his settlement with the Secretary of War. From hence I also took a guide named Peter, in his own language Cayautha, there being nothing but a blind path to the Genesee river; so that my retinue, at this time, amounted to three white men, one Indian and five horses. The horse designed as a pack horse, I received on the order of Colonel Hollinback, of Mr. Guy Maxwell, his partner in trade at Tioga, for which I drew in favor of them, on my daughter in Philadelphia, £15, for the horse, and for a saddle and bridle, value £3; took up our quarters this night in company with Mr. Jabez Colloor, a dissenting minister, at the aforesaid Wynkoop's, with whom we spent a most agreeable evening; and, during our conversation together, he enjoined me, in a very becoming manner, should I at any time see the Honorable Major General Sullivan, late the commander-in-chief against the Indians, in the year 1779, to tender to him the grateful thanks of himself and his parishioners, inhabitants of the district of Tioga, for opening a way into the wilderness, under the guidance of Providence, to the well doing of hundreds of poor families for life.

"Sunday, March 27th.

"Dined at Mr. Thomas Baldwin's,¹⁷ and halted for the night, and reviewed the ground on which the British and Indians were entrenched for better than a mile, against the forces under command of Major General Sullivan. I also saw many traces made by our round and grape shot against them, and a large collections of pieces of 5½ inch Shells, which I had the pleasure of formerly causing to be exploded amongst them. Expenses at Mr. Baldwin's for present diet, provisions and forage, 53s. 10d.

"March 28th.

"Took breakfast at William Dunn's; for four persons, 6s.; oats and spirits, 4s. 7½d; also chain halter for a horse, 20s. From thence we proceeded to the Painted Post, or Cohocton, in the Indian language; dined and refreshed our

¹⁶ Moore's Ferry, below the Island.

¹⁷ Thomas Baldwin was a Sergeant in Durkee's Company; he was actively concerned in rescue of family of Roswell Franklin, and was granted a Colonel's commission for his services. He lived at this time near Elmira, where he built one of the first grist mills in the region.

horses, it being the last house we should meet with ere we should reach the Genesee River. Addition of stores for ourselves and horses, 36s. 11d.; present dining, 14s. 3d.; four new horse shoes, &c., 6s. 9d.; spirits, 1s. 10½d. Here I was joined company by a Mr. George Slocum, who followed us from Wyoming, to place himself under our protection and assistance, until we should reach Cornplanter's settlement, on the head waters of the Allegheny, to the redeeming of his sister from the unpleasing captivity of twelve years, to which end he begged our immediate interposition. On leaving the Painted Post, we entered the Warrior's path, lying on the north east side of the Tioga river. We had not gone above five miles up the same before we fixed our encampment, having completed thirty-five miles this day, which was more than we had done any one day, within seventeen days, since we left the city; it having rained or snowed every day since, and the worst of roads to encounter with, for, as we passed over hills and through valleys, the frosts were just mellowed enough to admit our falling through in some places, knee depth to the horses; rained this night *as usual*.

"March 30th.

"I should have premised that the course of the Warrior's path gives a traveller a sight of the river Tioga, upwards of sixty miles, and by such a way I would never desire to travel again.

"March 31st.

"This morning I found myself in a settlement of Indians, called the Squawky tribe, but a branch of the Seneca nation; having no interpreter with me, I wrote a letter directed to Captain Allen, or Horatio Jones, and sent it by a runner by the way of Connewago, or at such a place where he could meet with either of them, requesting that whosoever should receive it should repair to Squawky Hill to meet me; and should they meet any Indians chiefs or warriors, to invite them to meet me also, having business of importance from General Washington, the President of the United States, to lay before their nation.

"April 1st.

"About eleven o'clock there were thirty odd Indians collected agreeable to my invitation. And shortly afterwards, I convened them into council, and introduced my message by prefatory sentiments, touching on the candor and justice of the United States and of the unexampled conduct of his Excellency the President, in the late interview he had with Cornplanter and others, who appeared as representatives in behalf of the Six Nations; by restoring unto them all their lands, which they feared were held from them by the power of the United States, by which act of his goodness, their situations in life were made comfortable, and as lasting as they should demean themselves as faithful friends to the United States, and such a becoming deportment, it would entail lasting happiness to their children's children. This simple introduction being ended, I read the message to them from the honorable Secretary of War; having ended the same, they signified their full approbation, in their accustomed manner. For the particulars of their answer, which was delivered by Captain Little Beard, their principal speaker, see a subsequent page.

"Captain Little Beard in the close of his speech, acquainted me that their great warrior, Captain O'Beel, or Gyantawanka in the Indian language, had arrived at Pittsburg from Philadelphia, and sent out runners from thence to summon the chiefs and warriors of the Six Nations at Buffalo,¹⁵ where he desired that the great council fire might be kindled, and where he should lay before them all the business that had been done by him at Philadelphia, and the public papers and documents which he had received for the Six Nations from the President of the United States, the Secretary of War, and from the Governor of the State of Pennsylvania. This information induced me to prepare myself for going to Buffalo in the morning instead of continuing my route to O'Beel's town, and urged it upon them in a very pressing manner that they would accompany me on this deserving errand to Buffalo, as its design was big with advantages to every Indian on the continent. Five of them immediately offered to attend Captain Houdin and myself and chiefs of the first notoriety in this settlement, accordingly appointed a sugar camp eight miles distant the place of meeting in the morning, where they must go and acquaint their people of this hasty departure."

¹⁵ Buffalo Creek.

The council mentioned above was held at Buffalo Creek, May 20 to 29, 1791. Not, however, without much interference on the part of the British; of which Col. Proctor was finally made cognizant by friendly squaws, also by Captain Print, an Indian, who had been with Sullivan's Expedition. Mr. William Ewing, the young Englishman who was making the trouble, was reprimanded publicly before the chiefs, and commanded to proceed further at his peril, with threatened imprisonment, etc. (See Archives, Vol. IV, p. 599.) Thus a danger was averted, and Proctor's mission, so far, proved successful.¹⁹ In the final speech at the council the Young King of the Nations said: "General Washington has kindled a fire at the Painted Post * * * he has called all the nations from the Grand river to the Onondas, and it is our desire to attend the same * * * all matters shall then be talked over again."

It will thus be seen that the Indians were in almost continual conference with Washington's emissaries from November 14, 1790, to June, 1791. Proctor suffered every hardship on this expedition, and finally succumbed to illness from exposure. Cornplanter, it will be seen, had taken another route, and we must conclude Proctor was meant to precede him into the Seneca country, and that Washington did not know of the proposed Buffalo Creek council. Beauchamp says Proctor found Young King and Farmer's Brother sided with British, and that he had little success. This journal gives very positive evidence of the attempts of the English to *prevent* peace between the Indians and the new Republic, most valuable in these times, when a constant effort is made to prove that all the actions of the English were exaggerated. One is also impressed with the fact that all lovers of truthful history should read State Archives.

Previous to the final council at Buffalo Creek, April 27, 1791, Col. Proctor seems to have taken a wandering course in western and northwestern Pennsylvania, holding various small councils. His journal is intensely interesting, and especially so the feasts prepared for him. Sometimes boiled chestnut, parched meal, sweetened, and *tea* made in wondrous fashion; again, kettles full of boiled corn and bear's meat; again,

"Young pigeons; some boiled, some stewed, and the mode of dishing them up was, that a hank of six were tied with a deer's sinew around their necks, their bills pointing outwards; they were plucked but of pin feathers there plenty remained; the inside was taken out, but it appeared from the soup made of them that water had not touched them before. Best repast I had seen for a long time, I ate of it very heartily.—Red Jacket acquainted me with the reason no council could be held to day (May 6). That it was their pigeon time in which the Great Spirit blessed them with abundance.—'Tis a matter worthy of observation that at some convenient distance from every Indian settlement the wild pigeons hatch their young at this season—a hundred nests, a pair of pigeons in each are common to be found in a single tree, so that I have seen one family have several large baskets full of dead squabs; these they take as fat as possible and after they are plucked, and *cleansed a little* they are preserved by smoke and laid by for use."

(No need of squab farms in those days!)

¹⁹ However he had been instructed to proceed to the Miamis, but the chiefs objected, and when they finally yielded to persuasion of squaws, he could obtain no vessel, so abandoned the trip.

At a small council allusion is made to a treaty or council at Tioga Point *two years since*. Undoubtedly then, as Mrs. Perkins intimates, a council or treaty was held here previous to the one in November, 1790, probably when the Indian was murdered by the white man. The party witnessed many feasts and dances, and according to Proctor's accounts some of them seem very much like heathen worship of idols; and it has been claimed the Iroquois never indulged in such worship. (See following account.)

"April 21st.

"This morning the whole of the town were preparing to have a grand feast, to return thanks to the Great Keeper of all men, for their being spared to meet once more together; several of the chiefs called upon us to give us the invitation to be present, while they should perform devine worship in their way, adding, that Indians worshipped one Supreme head, the Preserver of all, both white and red men. Their speaker advised us also, to be prudent while they worshipped, and not to be guilty of laughing or gestures, though the manner of it might differ widely from our own mode of worship; he likewise told us, that we must bring with us our ear, (the interpreter) to testify that they taught the true principles, by moral precept, and that their teachers both men and women, admonished their hearers against thieving, lying and speaking lightly of one another.

"The manner of their preparing for worship is, that, in every house they provide large quantities of such provisions as they think proper to bring with them, and the more varied the better, so that they may have a little of every sort, and none of the same returns to that house again; their method being to exchange their victuals on the ground, eating that which was brought by their neighbor; thus prepared, they proceed to the statue, which was erected in the center of the village, bearing some proportion to a man, and justly painted as the Indians are in coming, but having no weapon of war about him, intimating that he was the maintainer of peace. This figure is about nine feet in height, and stood upon a pedestal of about twelve feet, having on breech clout leggings, and a sash over its shoulders, and a very terrible appearance. Under this statue were placed two chiefs termed the women's speakers, each of these held in their hands the shell of a large tortoise, the belly part covered with a thin skin stretched very tight, having, in the inside, several small stones, which shell being struck upon a deer skin which is stretched between them, beating time together, accompanying the same with their voices, they made such melody that the whole of the assembly were delighted.²⁰ The old and the young women dance around in a circle, the image in the center, the men following them, using gestures that would have made a saint laugh had he forgotten that he was in a place of worship; but the women looked meek and humble, while they moved in concert in the dance, sliding their feet sideways, and folding their hands before them in a half circle, looking, at the same steadfastly on the ground inclining their heads to the left. The last of the worship was performed to what they call a brag dance; the young warriors retire to a house adjacent, where are paints, feathers and red clay; with the two former they ornament their heads with feathers and their faces with paint, and their bodies with reddish clay that give their skins all the same cast; some with one-half their faces black and the other red, in order to look the more terrible; for in this manner they go to war. When all matters are thus adjusted and ready to sally from their show-box, their leader gives a long yell such as when a scalp is taken; and on the third being given, it is re-echoed by the whole rushing forward at the same time to the place of worship, while they dance around the statue, throwing their bodies and heads in every curious attitude, and brag, alternately of the cruelties they had exercised in war, of prisoners taken and of thefts committed on their enemies, and of many exploits never performed."

²⁰ Such rattles were found in a grave in garden of M. P. Murray at Athens.

CHAPTER XI

RESULTS OF ARCHÆOLOGICAL RESEARCH

Indian Village Sites, Burial Places, Potteries and Flint Factories in the Tioga Point Region—Accounts of the Investigations of Messrs. Wright, Murray, Ercanbrack, Lang and Others.

Although infrequent Indian village sites and graves had been known or observed for two generations; and the small boy, as ever, made his collections of arrow points and potsherds, often hoarded until manhood; it may be said that the treasures of Tioga Point were practically undisturbed and unknown until the accidental discoveries in the garden of M. P. Murray in 1882, followed by the investigations of Harrison Wright in behalf of the Wyoming Historical and Geological Society, in same garden, in 1883. Even with these unusual finds, it was not until the organization of the Tioga Point Historical Society, in 1895, that the people awakened to the fact that this region was archæologically rich. Little attention has ever been paid by students of ethnology to the valley of the Upper Susquehanna, although the long aboriginal occupation of Tioga Point by *Algonquins, as well as Iroquois*, should make its possibilities self-evident. The writer, being awakened to the lack of skilled investigation, made various efforts to draw the attention of Prof. W. H. Holmes, W. K. Moorehead and others to the locality. Failing in that, and regretful that students closer to it have not included Tioga Point in their research, we have resolved here to present in a separate chapter the results of the work of amateur investigators; by name, Murray, Ercanbrack, Ott, Shepard and Lang; trusting that more learned students may help us to decide to what race belong the almost gigantic skeletons often found; also, whether any of the Tioga Point pottery shows the touch of an Algonquin hand; and whether the history of the Andastes may be illuminated by a study of the skulls discovered. These things can only be open to the students through the medium of classified *local museum collections* or illustrated articles carefully written. It is a matter of the greatest regret that any of Tioga Point's treasures have gone to other museums, or are hoarded in private collections by selfish or ignorant collectors; for it is a well known fact that skulls, pottery or indeed all Indian relics, "*when disconnected from the place where found, are more surely lost than if still buried in the earth.*" At Tioga Point is a fireproof museum; in it should be gathered all the archæological treasures of local aboriginal origin, and the various collections should be either loaned or given with the understanding that all are to be classified according to the highest authorities. Then and only then can intelligent investigations or observations be made. Moreover, the interest in this collection should endure. It should be the ambition of every inhabitant of the region to make this museum so locally perfect that it would become a veritable Mecca to the ethnologists; marking, one

might almost say, the point of contact or dividing line between Algonquin and Iroquois. The children should be taught reverence for the collection (and for the red man as well), and should learn to bring to it their own treasures of arrow point, potsherd, etc.

It has seemed wise to introduce also in this chapter, even if already noted, the village and burial sites known in this region, as discovered by parties aforementioned. General Clark told us long ago that there was an almost continuous chain of villages from Tioga Point to the head waters of the Cayuga Branch, also up the Susquehanna to Unadilla. Probably it might better be said from Wyalusing than from Tioga. As many as possible are herein mentioned.

As for the village sites they may readily be determined by the accompanying map, which goes far to explain itself. Many of these sites had been located by Messrs. Murray and Ercanbrack before Mr. Lang began investigations; but as this map includes them all, it was decided to use but one. Mr. Lang's map was not drawn to a scale, but was pretty accurately sketched; and as adjusted by C. D. Park from actual surveys, will bear critical examination. The most interesting discoveries made personally by Mr. Lang are the two sites which may possibly be accepted as the two other towns of the Caranouannai mentioned by Champlain. One is the palisaded town of old Chemung, noted on map. While this is in the broader angle made by creek and river, a somewhat unusual occurrence, it is on a decided elevation well calculated for defense. The other is on the high ground in the angle where Cayuta Creek empties in the Susquehanna northeast of Sayre. It will be easily seen that with the one on Spanish Hill, and the fortification on Fort Hill at Elmira, the border line of the Iroquois was well protected.

The most unusual arrow or spear points found by Mr. Lang were one of obsidian on the flats at Nichols called Maughatawanga, one of jasper at mouth of Cayuta Creek, and one of white quartz near Spanish Hill. The oldest relics were at the mouth of Cayuta, and on the Macafee farm already mentioned.

In the Tioga Point Museum one large case is devoted to the Lang Collection, two-thirds of whose contents, and many more, have been found on these sites, 3,000 in all.

It may be said that the first recorded discovery of an extensive Indian burial place at Tioga Point was by Sullivan's soldiers, close to their camp, mentioned in many journals, and an object of interest and amusement to all the troops. Doubtless this was near the camp on the Point, although it might have been anywhere in the vicinity of Fort Sullivan; and may have been the one in the Murray garden. There is also a burial site close to the river on the upper part of Point farm, which may have been the one. The burial place just south of Queen Esther's town, on the high point of land was known seventy-five years ago, every flood up to present time revealing new treasures, many seemingly antedating her occupation. The next find was nearly a hundred years later in 1877; not a burial place perhaps but a grave. Some excavations were being made on lot now occupied by J. K. Park, when human bones were discovered, very much charred with remnants of

burnt wood. Investigation proved the bones to belong to a woman, and the investigator, Rev. C. C. Tracy, wrote an article suggesting death by torture. Great quantities of the river clam shell were found at this spot, proving it to be a camp site of long duration. The shells were foolishly called wampum, but Mr. Tracy's evidence is to the contrary. It was probably long previous to this date that a strange burial place was discovered just across the Chemung on the old Murray farm, as the discovery was made by Abner Murray, who died about 1850. He and his son Edward supposed these bodies to have been buried in time of battle. Abner taught all his boys (as did his son, Edward) to reverence this spot; and digging for mere curiosity was not permitted. If the unfriendly plow revealed some of the bones of the braves, all the boys were taught to reinter them at once; and no observations were made to assist in decision as to who were here buried. Great numbers were buried in trenches, which ran east and west, a few rods south of Murray homestead, on the high ground or river terrace. There were several of these trenches, and the position of the clay and loam plainly indicated that after the first trench was filled, the excavations from the next were used to cover the bodies. These trenches must have been at least 100 feet long and were entirely unlike the known ossuaries or burial pits. Arrow points were found here in abundance, and a large bead, evidently of European manufacture.

It is a curious fact that, in all the investigations of recent years, extending from Sheshequin to Elmira and Owego, while the implements found are varied, certain well known forms are almost entirely absent; for instance, banner stones, ceremonial stones, scrapers and wampum. Here mentioned because as early as 1825¹ it is related that there was an old Indian camp (perhaps a hunting camp) at Pine grove southwest of town, which was frequented by the children of the neighborhood on account of the great quantities of wampum and colored beads, of which the girls often made necklaces; many flints also were found here.

Occasional skeletons, supposed to be Indians, were found in the lower part of present town, as in Chester Park's garden, and just in front of George A. Perkins' gate. There is no proof that these were not buried in Fort Sullivan, and possibly they were white men.

In the autumn of 1882 an accidental discovery was the beginning of the most interesting investigations. While in the original village plot of Athens, the lot now owned by Millard P. Murray, *was the only one on which a house had never been built*. No one seems to know why. In 1882 some workmen were digging a ditch from location of present house to river, when they came upon three Indian graves, containing two skeletons of men and one of a woman. In one of these graves was the pot whose fragments are shown at top of Plate I; also the one at left in next row, and three others; the shell gorget at top and a common clam shell cut to a sharp point; also two good celts and a discoidal stone (No. 5, in Plate VIII). The lot had long been an orchard and these and all later pots were perforated with thread-

¹ Told by Mrs. Matilda Watkins when eighty years old, 1896.

like apple roots, and the pottery very frail. No careful hand being there, the pottery was broken in removal. But, fortunately, the pieces are of sufficient size to show decorations. If intact this pot would stand about eight inches in height, with probable circumference of twenty inches. The frieze is two inches high, and the upper edge fin-



PLATE I

ished in four well defined curves. On opposite sides are the two masks or faces, distinctly those of male and female, representative of the Indian type. It has been truly said, "They show more of artistic development than has generally been attributed to the Indians of the Eastern States." The frieze is further decorated with diagonal lines

forming triangles, with parallel lines at top and bottom; below the frieze is a row from face to face of finger nail or fish bone indentations. In the inset below are parallel lines running all around, then a row of small triangles, and finally lines, triangles and arrow point or fish bone indentations covering the bowl completely. This bowl, though larger, is similar in decoration to one found later, now in museum of Wyoming Historical and Geological Society, and no others have ever been found so profusely decorated. Some of the dotted work has been compared to that on the Irish pot of the Bronze Age, found in Donnelly's "Atlantis," page 142. The gorget is made from a marine shell and was probably suspended by a cord around the neck.

The celts were respectively of chert, green stone, serpentine and chloritic schist, in varying degrees of make and polish. These three skeletons were so close together they seemed to have been buried in one grave, in a sitting posture, facing east. Detail is insufficient as there was no one present but workmen. A number of drift stones of large size were in these graves, and a large flat stone, worn in centre, probably used for dressing hides, cleaning shad or kneading cakes. While much interest was awakened by this find, it was not supposed there were more graves near. Therefore, the request of the late Harrison Wright that he might examine and possess possible finds was carelessly granted; thus losing to the locality, as will be seen, objects of great interest. In April, 1883, Mr. Wright and company began investigations by measuring in every direction distances of twelve feet, this being the usual distance observed in Indian burials. At this time the size and shape of this plot were not known, and the garden was pretty thoroughly examined at every twelve-foot interval. The result was very surprising. Thirteen graves were found with relics of unusual interest.

Twenty minutes after arrival, twelve feet from original grave, another was found, doubtless of a medicine man or celebrated dancer; for at each temple was found a turtle shell with perforated holes for suspension around the neck, plastrons also perforated, and each shell containing four very small pebbles (see Plate II). While these may have been totems of the Turtle clan, the natural inference would be that they had been used for rattles. In the earth near this grave, as was observed later at another, was a large quantity of red ochre, a broken bone comb, a broken gorget, and some shell beads which disintegrated. A full account of this extensive find, written by Harrison Wright, is to be found in Vol. II, Part I, Proceedings Wyoming Historical and Geological Society. Cushing tells of the dance rattles similarly made of turtle shells. Some of these bodies were buried (as later ones were found) sitting, and some at length. The general position was with knees drawn to breast, right arm bent, and burial pot on right hand near breast. (The smaller skull shows plainly death by tomahawk; the skull having a cleft.) This skeleton was buried lying, with head on a pillow of twigs bound tightly together. Many of these graves were lined with bark, and sometimes with large drift or cobble stones. In some instances one burial was over another, and in three instances

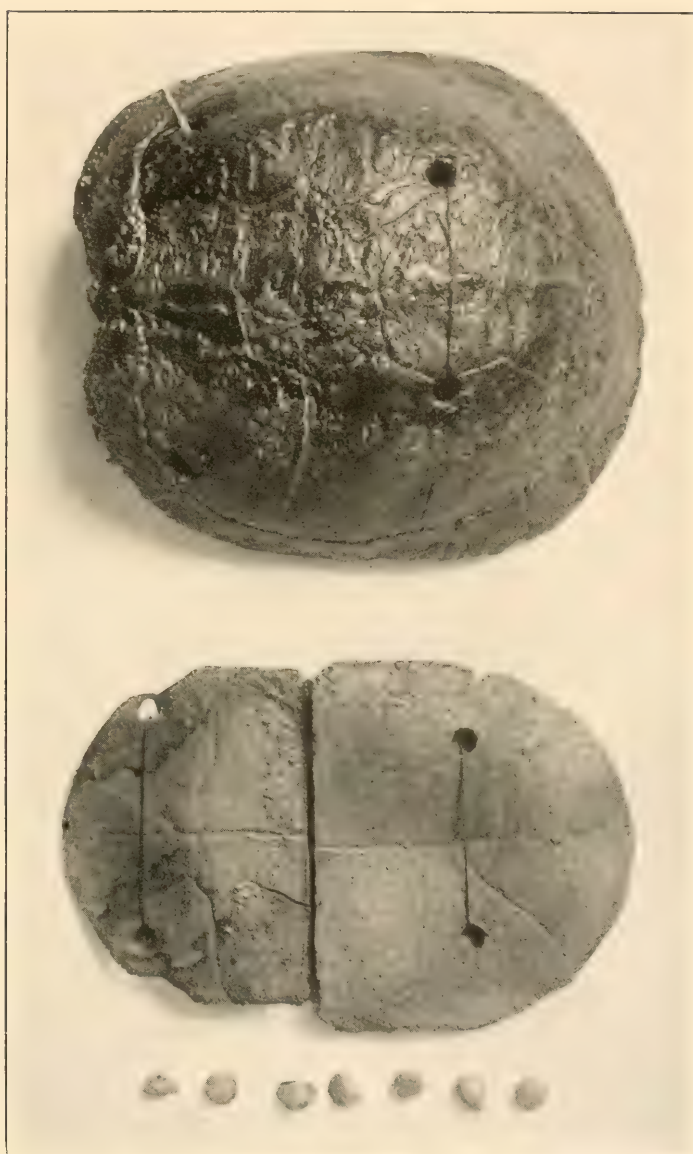


PLATE II

in this plot two were buried side by side, one being in every case a woman.

One pot, of small size, plain and with elliptical rim, Mr. Wright thought a drinking cup. The smallest one has a face in each side of frieze of very different character from those of original find, being surmounted by a head-dress curiously like those of Egyptian soldiers (see back cover). This, also, Mr. Wright thought a drinking cup. The only bit of metal in these graves was the serpentine bronze bracelet, a most unusual relic, here shown with the bone comb (Plate IIa). (All of the articles found were presented to the museum of the Wyoming Historical and Geological Society, and many are reproduced in their publications. The turtle shell rattles, bracelet and comb are here reproduced for the first time by the courtesy of the society.)

This led Mr. Wright to infer that they were at least 300 years old. He also observed that the burials evidently extended over a very long period, as evinced in the grade of implements found, from the Neolithic to the Stone Age. Of all the skeletons examined by Mr. Wright, only the turtle man was above medium height. Charcoal was found on all these graves, indeed it has come to be the hall mark of the Indian grave. All the personal belongings were often burned on the grave, or sometimes, according to Schoolcraft's Aboriginal Archives, a fire was lighted for four nights after burial on the grave, to shed light on the path to the happy hunting grounds.

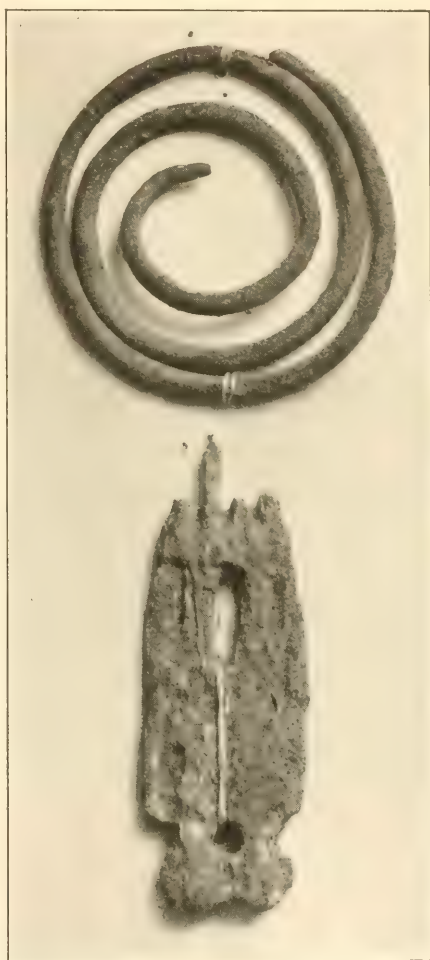


PLATE IIa

It was greatly regretted that so much was found and removed from Tioga Point. But it was very soon discovered, in the process of garden making, that Mr. Wright had located the graves too far apart; and as many more have since been found, twenty-nine in all. After a

number of others had come to light, investigation showed that this was a defined plot, about twenty feet from edge of river bank, and about eighty feet in length, and twenty to thirty feet wide. In the corner, twenty feet from north line of the lot was found, *under ground*, a pillar of eight large drift stones, and with them a flat stone on which is roughly cut the exact proportions of the little plot. This stone is in Tioga Point Museum. Mrs. Harriet Maxwell Converse thus explains the plot²: "It was customary to bury the dead in *clans* rather than families. It was the rule that a circle should be made in the burial places for the clan chief." This was borne out by finding exactly in centre of plot a large circle of drift stones, with a marker at east and west side. No other totem having been found it seems possible that the turtles may have been buried as a mark of the clan, for totems were the heraldry of the tribes. Although the turtle totem was usually carved in stone, like No. 5, Plate VII, which was found at Athens or Sheshequin, and has the feet well carved on under side.

As to the age of this burial plot Mr. Wright noted that aside from the absence of iron implements, the bones were fast cemented in the clay or loam, indicating a very long period of interment. According to Mrs. Converse they were buried in the true Iroquois fashion; yet the Andastes or Carantouans were of Iroquois stock. The mystic number "7" appears so often in the markings on first pot, and on Mr. Wright's Tioga No. 5, that he thought it offered a chance for speculation, the number seeming to be intentionally used.³ It has been a matter of great regret that Mr. Wright did not live to pursue investigations at Tioga Point. There were some old stumps of apple trees on the river bank at edge of plot, supposed to have been of Indian planting. In having them removed it was discovered that under each was a grave or Indian repository of pottery. Again the finds suffered from ignorant workmen, who destroyed most of the contents without informing the owner. Under one stump, very near original grave, was found no skeleton, but a group of eight pots (fragments of three shown in centre of Plate I) which had been arranged with care two or three feet below the surface. At the bottom was spread clay, or cement, as the workman said, on which stood the eight pots carefully imbedded in sand; every one broken in careless removal.⁴ One of these pots was filled with a shining black dust, similar to plumbago. Seven of the graves were in a circle around this group; and around two others of the stumps were seven graves in a circle, including some found by the Wright party. At the second stump the writer was called by the workman, and it was her pleasure to bring to light the tiny pot shown at lower right hand of Plate I, which was perforated all over the surface by the thread-like apple roots. But one bone was in this grave, the jaw of a child of about seven years, as shown by a molar not yet through the gum. This pot is less than three inches high. Red ochre

² Personal letter to author. It will be remembered that Mrs. Converse was the daughter of Thomas Maxwell, and adopted into the Seneca tribe.

³ See page 67, Vol. II, Part I, Proceedings, etc., Wyoming Historical and Geological Society.

⁴ On this occasion a second party from Wilkes-Barré had made excavations in adjoining lots with *absolutely no results*, and were being taken to the train by Mr. Murray.

in large quantities was found in these graves (see Figure 7, Plate VIII), and near one was the paint cup and mixer shown as No. 6, Plate VIII. Also a very fine small pestle and mortar not reproduced.

The owner, like his forbears, long refused to examine the grave in the centre of the plot, but at last consented to celebrate the formal opening of the Historical Museum, and June 27, 1895, the work was begun. The circle of stones proved to be over a sepulchre about three by five feet, with an upright stone at each corner, apparently as a marker, for, of course, this must have been well above the surface originally. The work continued that day until a heavy rain interposed. Being re-



sumed the 28th, the huge drift stones continued to be found to a depth of four feet. The writer, hoping to save the pottery, assisted Messrs. Murray and Ercanbrack in excavation. Finally, two large flat stones, full of Devonian fossils, proved to be the covering to a skeleton of a man six feet or more in height. While lying on back, with head to the *south-east*, with hands crossed on breast; the crushed front of skull and the unusual position of legs, right foot under thigh, and left leg fallen across right, seemed to indicate that he might have been buried in a sitting posture, and overturned by settling of stones of the sepulchre, which had evidently crushed the large pot (see centre bottom figure, Plate I), fully eighteen inches in diameter, at left side of head.⁵ A

⁵ This position (or on right hand) was usual with pottery in all the graves. It is regrettable that an enthusiast displaced finger bones before photographed, and that the position of celts was changed.

perfect flaying knife, very small arrow point, and a tomahawk were at right side; the wooden handle of tomahawk plainly discernible. Also bits of mica and wampum. When fully uncovered, the grave and its contents were instantly photographed by an amateur, Mrs. D. J. Macafee, from which reproduction was made. It was at once suggested that it should be removed to the museum, and with great ingenuity, after digging a trench around skeleton, sheets of zinc were carefully pushed under it, a frame nailed around, and the whole removed to the museum, where it still remains. Though, unfortunately, not having been hermetically sealed, it is not well preserved.

From the unusual care taken in interment, this is supposed to have been a man great among his people, and at his disinterment he surely lay in state, being visited by more than 1,000 people before removal to museum. Who was he? What his race, and why this careful burial? There's a pretty tradition which tells that the Indians of this region buried close to the river because the soul was more quickly carried to the happy hunting ground; and this plot is at the narrowest point between two rivers.

Several skeletons here found were of unusual size; one, judged from the length of thigh bone, to be seven feet. Mrs. Converse, taught by the Indians to decipher their hieroglyphics, thought to visit Athens and read the markings on this pottery, but she never came. Investigation on our part has proven nothing. While this plot is the only one with exact boundaries known, from that time, Tioga Point continued to reveal, *by accident*, new places of sepulture, which seem to indicate that the narrow neck of land is closely filled with graves; beside many other scattered burial sites. Laying water pipes led to the discovery of continued interments from old Academy to Murray lot, in Main Street. Of course, these have all been accidental discoveries by hurried and ignorant workmen. As a rule, when examined, the skeletons were of great size, notably one found near north gate of Maurice property, which should have been preserved; it was thus described by Prof. Holbrooke:

"Judging from the thigh bone he must have been seven feet tall. The skull was much larger than usual, very thick, the forehead unusually receding, the top flattened. The jaws were extremely strong, full of large, perfect teeth. Altogether the remains seemed to be those of a brutal and very powerful giant. With him were found a few small flints and a rude flint axe head." (1901.)

This skeleton was four feet underground. Two or three years later, while laying water pipes, a continuous row of graves was found from Main Street to stable on south line of same property. Here the pottery (shown in Plate IV) was colored on the outside and light on the inside, showing manufacture from brick clay. The site of the Museum-Library proved another fruitful source of interest. In excavating for cellar (1897) it was discovered there had been two periods of interment, the lowest graves being about eight feet below surface, the upper ones two to four feet. *Under* one of the prehistoric graves was a bed of ashes with crushed fragments of many pots, containing shells, flints and small bones. The arrow points in the lower graves

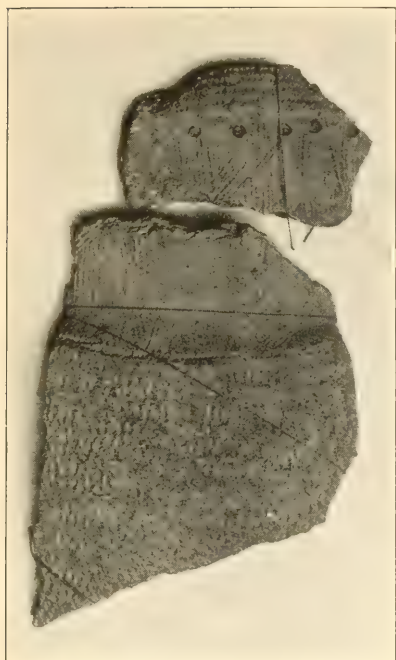


PLATE III

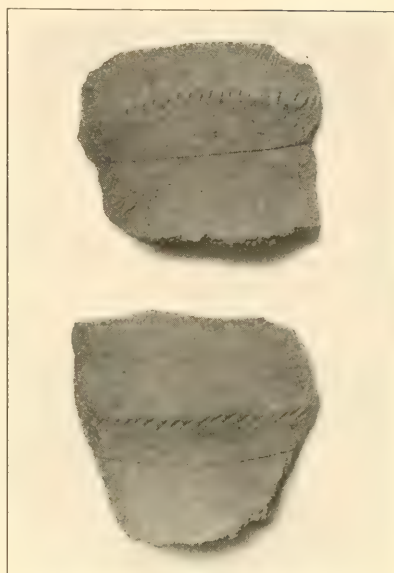


PLATE IV

were of the rudest shapes. Some skulls and various implements from these graves are in Tioga Point Museum, and Plate V shows the pottery, of a very different character from any found except on Queen Esther's flats, from which comes the very large one shown in Plate III.

In 1898, while grading around building, Messrs. Murray and Ercanbrack found many graves; excavating with care, all the pottery was found in fragments, evidently broken before burial, according to a frequent Indian custom. Continued investigation brought to light a circle twenty feet in diameter, of



PLATE V

large sandstones, and fifty feet south a second similar one. In the centre of both were masses of ashes, potsherds and deer's skull and antlers, and every indication of fires for a long continued period. Yet here, no doubt, was the camping ground of both whites and Indians during war times. Indeed, two white men's graves were found in this plot. A number of Indian graves were also found across the street when the foundations were laid for Soldiers' Monument, but no observations made.

Three graves with stone markers were found when laying water pipes in front of Mrs. Noble's residence, and several broken pots. The last ones of interest were found in *Main Street*, at northeast corner Murray lot, in laying gas pipes. These graves were very close together, and full of pottery much like that usually found. (There seems to be no graves in *this lot* except those on river bank.) The only notable piece in almost perfect condition is at lower left hand corner of Plate I. Whether pipe or double mouthed pot is not easily decided.

As to pipes found in this locality, the most notable are shown in Plate VI. No. 1, found on Round Top, is of steatite highly polished, sometimes called a moose whistle. No. 2 is of earthenware from old Te-a-o-ga. No. 3, a fine earthenware specimen and totem of Wolf clan as well, was found on site of Queen Esther's Town. No. 4, earthenware from Teed collection, has a bird or beast on bowl. No. 5 is of red pipe clay, found on the Point. No. 6, a remarkably fine steatite tube, is from New Sheshequin flats. We regret inability to reproduce others of great interest from this locality, hoarded in private collections.

Plate No. VII shows ceremonial stones and beads found on the Point, and totem already mentioned; 1, 2 and 3 are peculiar objects from the Indian burial place near Towanda "Garden of Roses"; 1 and 3 are of stone, and seem broken from some larger objects. No. 2 was found in an Indian grave, but is, of course, of white man's make, ingeniously carved from a deer's horn, and evidently used as a powder filler. Plate VIII shows 1 and 3, large, well-made net sinkers or canoe anchors, found in river; 2, an unusually large stone axe from Ulster; 4, largest and most perfect pestle from Murray plot; 5, 6 and 7, already noted; 8, a well-made paint cup from river bank; 9, a stone implement, use unknown, but showing much work. There are numerous other curious objects of use in Tioga Point Museum from surrounding region.

Many unusual pipes or calumets have been found on New Sheshequin flats, several of red pipe stone, now lost to sight, which should be in our museum. An Indian burial ground at old Sheshequin (now near Van Dike's, Ulster), revealed enormous skeletons; and as long ago as 1843 two of unusual size were found at Burlington, buried with care in a stone sepulchre. May they not have been Sasquesahannocks?

Large, white spear heads, with red or blue veins, have been found near Ulster, and some curious stone pot lids. Several village sites along the west bank of Susquehanna, below Sayre, are not noted on map; also one on east bank of Chemung near present Tyler farm. Just below Susquehanna bridge, in the river and edge of bank, the boys



PLATE VI



PLATE VII

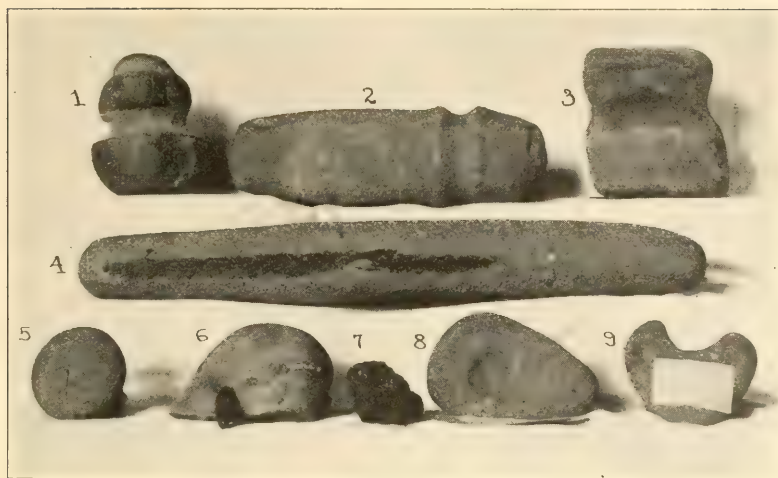


PLATE VIII

have found another burial ground, some pots, etc., being found in rifts and thoughtlessly destroyed.

A very important Indian burial place or ossuary was at Owego, along the creek, *probably* Nanticoke. Bodies were brought here for interment from both up and down the river until 1800. This was near Jonathan Platt's residence. "Owege" was an Indian town of considerable importance. We believe the best local collection there has been made by Mr. Kingman.

Potteries at Tioga Point

While it has been said pottery was not manufactured further down the river for lack of clay, that is not true of Tioga Point, where clay beds abound, as well as evidences of their use. The Indians made use of the "blue clay" found in abundance at the foot of Round Top, on the Chemung, and just below Mile Hill, on the Susquehanna; and on the Hayden property, southwest from Sayre. There was a finer clay, of which the squaws were evidently more fond. In 1897 G. T. Ercanbrack and M. P. Murray, while examining supposed site of old Te-a-o-ga on the Point, made some interesting discoveries, locating, no doubt, the most extensive pottery in this region, about 50 rods southeast of stone house on bank of Susquehanna River.⁶ In the edge of the river, and indeed one might say in the river bed, from shore to shore, is a thick bed of clay, far lighter than the common blue of the region, in fact, almost white. The soft shales, sandstones and small masses of mica in this locality easily furnished the industrious squaws with all needed materials. It is unnecessary to attempt detailed description of mode of manufacture, now accessible to all in various ethnological publica-

⁶ In this locality were also found more broken or unfinished implements of stone than at any other site; plainly indicating a manufacturing place of celts, etc., as well as pottery.

tions of Smithsonian Institution, but a few details may be of interest to the uninitiated. After selecting her clay, the female potter (for it was always the squaw) tempered it to secure durability by mixing with it powdered soapstone, mica, powdered quartz and shells, or sharp sand, all of which, as has been shown, were deposited by the moraines ready for her hand at Tioga Point. Mr. Wren, of Wyoming Historical and Geological Society, gives some account of next method of procedure in "Susquehanna River Indian Pottery," although *he did not include Tioga Point* in his investigations.

Of course, the clay mixture was wet, and then the modelling began in various fashions, easily indicated by some existing pottery. Quite likely many of the finer pots, evidently only for burial, may have been shaped over a round mass of baked clay not unlike a door knob. But even with this the potter had a skillful hand to evolve some graceful shapes here found. Others were made by coiling a narrow strip or rope of wet clay from centre of bottom up, and some were built in sheets or layers, dried for two or three days, and then perhaps covered with thin coating of a different sort of clay. Much pottery found here is brown inside and red outside, and was at first supposed to have been colored with ochre. But it is easy to see that in these, for the outer covering, the brick clay was used, which turned red in burning.

More of this style is found on Queen Esther's Flats than on the Point, and probably it was manufactured near the clay bed on present Thurston farm. Possibly the pots were partially dried before decorated, and here was displayed the artistic talent of the maker. The most beautiful specimens were found in the Murray burial ground, and were perhaps all made by the same person. A traveled scholar on first seeing the Murray pot with the faces, exclaimed involuntarily "that was fashioned by the Michael Angelo of the tribe." Imagine the shaped pot held on the squaw's left hand, or on the so-called door knob implement, while her fingers rapidly ply the decorations, her only tools her finger nails, a stout fish bone, a small flint, and a fine cord of her own manufacture from some sinew of wild animal, or perhaps a cord-wrapped paddle. Squatted on the ground, with an admiring group around, she shaped the speaking faces, outlined the amazing groups of triangles, *often all in sevens*; made the circles of dots, and bore it triumphantly to the oven. *Was she Algonquin or Iroquois?* At any rate, we have seen her kiln. It was built against the bank for her convenience. There were four shelves rising in tiers about two feet wide and four feet long, formed of round sandstones laid close like a cobble stone pavement, walled up at end of shelves. It cannot be told how she closed her filled kiln, which easily held at one time a hundred pots, great and small. The sandstones were burned red and cracked with many fires, and scattered over the shelves and around the kiln were innumerable potsherds, showing there were faults in firing. We counted twenty-two distinct forms of decoration. Between this oven and the clay bed were two circles about three and one-half feet in diameter, made of the sandstones, with depression in centre, showing evidence of long continued and hot fire, either for cooking or firing

pottery. This interesting workshop should have been photographed or sketched, but soon after its discovery it was somewhat obliterated by severe floods. It was located close to the river clay beds near old Te-a-o-ga.

The greatest stone workshops of the valley were evidently in She-shequin Valley. At the head of the narrows on flats of Macafee farm; and also on old Kingsbery farm (now O. D. Kinney's) just where flats begin to rise have been found masses of flint flakes, at the latter site, covering a space about four rods square; here also were innumerable broken celts, pestles, etc., showing clearly that both arrow points and various stone implements were here made in quantities. Quantities of flint chippings were also found at the village site north of east end of Sayre Bridge by Messrs. Murray and Ercanbrack. It is evident better materials were found east of the rivers. Both of these were near easily discerned village sites.

The somewhat rare soapstone vessels, with quaint lugs and holes by which they were doubtless suspended, have been found at old Diahoga and on Cayuta Creek. Of course, they were used for cooking purposes.

When Weiser came the squaws had great iron pots for their corn, obtained from the whites. What did they use at an earlier date?

Distinct remains of long-used fireplaces were discovered on bank northwest of Museum-Library, and southeast of the boulder in Perkins' lot. But here were many deer bones and others, indicating camp sites rather than potteries.

As to the pottery found in this region it is varied in size, color, material used, and decorations. The coarsest in material and make has been found on Queen Esther's Flats. There it has all been washed out of the bank, always broken. The fine specimen already shown in Plate III must have been of great size. Unfortunately, the break in frieze loses the graceful curve of the neck; this pot is light brown, of great thickness, and is decorated on the top edge and inside of rim. It is possible, if not probable, that this and other pottery found on the flats is of Algonquin manufacture.

What has been here recorded is in no sense authoritative, but is given with the hope that it may help to unravel some of the mysteries of aboriginal life at Tioga Point.

Unquestionably much more might be learned from the private collections of P. L. Lang, I. P. Shepard and Dr. C. H. Ott.

Description of Plates.

- I. Pottery and gorget from Murray garden, in Tioga Point Museum.
- II. Turtle rattle from Murray garden, now in Museum at Wilkes-Barré.
- IIa. Bracelet and comb from Murray garden, now in Museum at Wilkes-Barré.
- III. Pottery from Queen Esther's Flats, one-fourth natural size.
- IV. Pottery from Maurice lawn.
- V. Pottery from Museum-Library site.
- VI. Pipes and tubes in Tioga Point Museum.
- VII. Tioga Point totems and gorgets.
- VIII. Indian implements in Tioga Point Museum.

CHAPTER XII

VISITORS TO OLD TIOGA POINT

Early Travelers Through the Valley—Their Impressions and Observations

Before beginning in detail the story of the actual settlement of Tioga Point, this seems a fitting place to record the impressions and reports of this region as given by various early travelers; though their visits do not all antedate the settlement.

It has been asserted and possibly proven that the Jesuit missionaries never saw the Susquehanna. Of that *we are not fully convinced*, owing to the finding of crucifixes, etc., though there is no corroborative evidence either way.

We have already told of the visit of Brulé, and of Kleynties the Dutchman, and his comrades; although as there are no definite records left by them as to Tioga Point, we will begin, as have others, with the visits of Conrad Weiser.¹ But let it no longer be said that his first visit was in 1737; for his own journal records that he then referred to a previous visit twelve years earlier, doubtless when he had followed his Palatine friends down the Susquehanna (see Chapter III), or on a previous journey back to New York State. Some writers say that his journal of 1737 mentions having visited the Susquehanna River towns in 1726, but we have not seen such a copy. (Application to Rev. S. H. Cobb, author of "The Story of the Palatines," and to some other high authorities, has thrown no further light on this subject, although it would seem that diaries of the Palatine emigrants would have mentioned the principal Indian towns along their route.)

The best account of the journey of 1737 is Weiser's own narrative, translated by H. H. Muhlenberg, and published in 1853 in Vol. I

¹ Conrad Weiser, whose name is on the honor roll of Pennsylvania, was born at Herenberg, in the Palatinate of the Rhine, in 1696, and came with the Palatine emigrants to New York State when about twelve years old. Some years after their arrival at Schoharie, a Mohawk chief, Quagnant, took a great fancy to Conrad, and asked permission to take him home for several months; during which time Weiser became familiar with the Indian language and customs, and was soon in demand as an interpreter. The Indians named him "Tarachawagon." When there was dissatisfaction among the Palatines, Governor Keith of Pennsylvania, while in attendance at an Indian council at Albany, "hearing of the unrest of the Germans, lost no time in informing them of the freedom and justice accorded to their countrymen in Pennsylvania," and invited them to come into his province. (See Cobb's Story of the Palatines.) An additional account is as follows: "Conrad Weiser first saw Diahoga before 1730; for we read that about 1723 there was such dissatisfaction among the German settlers in Schoharie, New York, that there was a general migration to Conestoga, Pennsylvania. The route chosen was the Charlotte and Susquehanna Rivers. Thirty families are said to have gone down in the Summer of 1723, fifty others in 1725, and still another company in 1729. At the mouth of the Charlotte they built canoes with which to make the journey, felling trees for the purpose. Twenty-five years later Sir William Johnson asked to have a patent begin 'where the Germans made their canoes to go to Conestoga.'" The horses and cattle were driven along the Indian trail. What must have been the astonishment of the Diahoga Indians to have seen these fleets of canoes filled with white men on a peaceful journey!

After this settlement, which was in the region of the *Tulpehocken* and *Swatara*, Conrad Weiser acquired position and influence. On account of his knowledge of Indian character, language, etc., the authorities relied greatly on his judgment; he soon became an efficient leader in Indian affairs, and eventually in 1732 the official interpreter at all councils and treaties for over fifty years. The Indians said of him, "he is a good and true man, and has spoken *their* words and *our* words, and not *his own*."

There are two excellent biographies of Weiser, which are rich in interest. The earlier one says, "Conrad Weiser had a call to a mission, and this Indian experience, (among the Maquas or Mohawks) was the college in which his qualifications were developed."

of Collections of Historical Society of Pennsylvania. This journey was to "Onondaga," 500 miles through the wilderness, and was commenced February 27th. The record, as copied, begins between present Muncy and the Loyalsock Creek:

"To-day we passed a place where the Indians in former times had a strong fortification on a height;² it was surrounded by a deep ditch, the earth was thrown up in the shape of a wall, about nine or ten feet high, and as many broad. But it is now in decay, and from appearance,³ it had been deserted beyond the memory of man. * * Crossed a high mountain (Ulster). * * We passed safely and toward evening we were also ferried over the great branch of the Susquehanna River. All the streams were very high, for the snows had been uncommonly deep this winter. This water is called Dia-agon, and comes from the region of the Sinickers and Gaiukers. *There are many Indians living here, partly Gaiukers (Cayugas), partly Mahekanders.* March 29, 1737, very hungry" (as his journey had been so prolonged that provisions had failed).

He gives an amusing description of the preparation of food by the dirty cook, whose skin

"Was not unlike the bark of a tree, from the dirt which had not been washed off for a long time, and was quite dried in and cracked, and her finger nails were like eagle's claws. When the soup was thus prepared, and after I had eaten a little and satisfied the worse cravings of hunger, I quietly left, and went into another hut; gave the old gray-headed mother 24 needles and 6 shoe-strings, and begged her to give me some bread made of Indian corn, if it were only as much as I could eat at one meal. She gave me five small loaves of about a pound weight."

Weiser further records that he was so nearly starved when he reached Owego that the Indians fed him with only a little each time. Finally, they had to subsist on Indian-made maple sugar, which made them all sick. In this narrative Weiser calls Towanda "Da-wan-ta-a."

In a letter to a friend in 1746 Weiser thus tells of this journey⁴:

"In the year 1737 I was sent the first time to Onondaga at the desire of the governor of Virginia.⁵ * * I departed in the latter end of February very unexpectedly for a journey of 500 English miles through a wilderness where there was neither road nor path, and at such a time of the year when animals could not meet with food. There were with me a Dutchman and three Indians. On the 9th of April I found myself extremely weak, through the fatigues of so long a journey with cold and hunger which I had suffered. There had fallen a fresh snow about twenty inches deep, and we being yet three days journey from Onondaga in a frightful wilderness, my spirit failed, my body trembled and shook, and I thought I should fall down and die. I stepped aside, and sat down under a tree, expecting there to die. My companions soon missed me. The Indians came back and found me there. They remained a while silent; at last the old Indian (Shikellimy, an Oneida sachem) said, 'My dear companion, thou hast hitherto encouraged us; wilt thou now quite give up? Remember that evil days are better than good days, for when we suffer much we do not sin; sin will be driven out of us by suffering, and God can not extend his mercy to the former; but contrary-wise, when it goeth evil with us, God has compassion on us.' His words made me ashamed, I rose up and travelled as well as I could."

These words of Shikellimy (who was a Moravian convert) moved several young Moravian brethren to consecrate themselves to the work

² Possibly an Andastes town, at any rate prehistoric.

³ Muhlenberg says: "This appears to be the same nature to those found in Western States."

⁴ See Memorials Moravian Church.

⁵ His mission was to effect, if possible, peace between the Iroquois and Cherokees, as Virginia was much harassed by war parties of both nations.

of missions among the North American Indians. Another account of same incident was given by Weiser to Count Zinzendorf in same volume as above, pp. 88 and 89 (see Note 4).

His hardships were perhaps partially told by Canassatego, an Onondaga chieftain, who addressed the Council at Philadelphia in 1742 in Weiser's behalf as follows:

"He has had a great deal of trouble with us, he wore out his shoes in our messages, and dirtied his clothes by living among us, so that he is as nasty as an Indian. In return we recommend him to your generosity, and in our own behalf we give him five skins to buy him clothes and shoes with."

In April, 1743, he was again sent by the State to Onondaga, of which journey he says:

"It was enough to kill a man, to come such a long and bad road, over hills, rocks, old trees, rivers; to fight through a cloud of vermin and all kinds of poisonous worms and creeping things, besides being loaded with a disagreeable message. * * The tawny people laughed at me for this, and feasted us on hominy, venison, dried eels, squashes and Indian corn-bread."⁶

On this journey, made on horseback, he was accompanied by the celebrated English botanist, John Bartram, and Lewis Evans, known as the maker of the "Map of the Middle British Colonies," already mentioned.

For this visit to Tioga Point there are extracts from Bartram's "Observations on the Inhabitants, Climate, Soil, Productions, Etc., in Travels from Pennsylvania to Canada," published in London 1751. The route taken by the party was the usual Sheshequin or Ulster Path, called by the Moravians the "Narrow Way."

Bartram says:

"Reached the Cayuga branch (Chemung) near 100 yards wide, which we crossed, then rode *near a mile* to the town-house bearing north; this town is called Tobicon and lies in a rich neck between the branch and main river. The Indians welcomed us, &c. * * * Here I observed for the first time in this journey that the worms had eat off the blade of their maize and long grass, and I saw some of the naked dark-colored grubs half an inch long."

These worms had been destructive throughout the Province. Bartram observed that the morning was very foggy, it was about the middle of July. On their return they reached here August 7th. Bartram says:

"I walked to the branch (Chemung River) after dinner, and found abundance of fossils on the banks, but the distance of the way, and heavy load of our baggage were an insurmountable bar to my bringing any home."

He mentions a feast prepared by the squaws of hominy boiled in venison broth, and adds:

"This day the Anticoque who travelled with us from Onondaga left the path a little to hunt, missed our track, hit upon an Indian town three miles up the branch, (probably Ganatocherat) and there picking up a squaw, brought her with him."

In 1745 Weiser traveled again to Onondaga, being sent by the government to try to establish peace between the Six Nations and the Catawbas of Virginia. "Shikalamy" and Andrew Montour were sent

⁶ Memorials of the Moravian Church, page 62.

⁷ See Colonial Records, Vol. IV, p. 655.

with him; and the Moravian Brethren, Spangenberg and Zeisberger, asked the privilege of accompanying the party. The Moravian journal is most interesting and instructive. Striking the Susquehanna at Sugar Creek this journalist says:

"We went up the Susquehanna to *Diaoga*. We travelled by the narrow path that goes up a steep mountain on the side of the Susquehanna,⁸ crossed the branch that is called the *Tiaoga*. At its junction with the Susquehanna, in the small triangle formed by the two rivers we found a fruitful tract, upon which a tribe of Mohicans had built a village (*Diaoga*). This spot is about 180 miles from Shamokin, and is a charming region of country."

On their return they met below Owego two canoe loads of squaws from *Diaoga*, who had come up to hunt for wild beans. The next day at *Diaoga* they found food very scarce, were unable to obtain enough for their journey. It would be interesting to know of what were the three loaves furnished them. In 1750 Zeisberger made the trip again. Cammerhoff's account will be found elsewhere. Weiser also made the Onondaga journey again this year. Heckewelder and Zeisberger, as has been seen, say little about their stops at "*Diaoga*," though they made various later journeys to and fro.

The year 1760 brought another emissary to Onondaga, by way of *Diahoga*, "Christian Frederick Post, one of the Brethren of Bethlehem," who had lived among the Indians; Craft says, "the most adventurous of Moravian missionaries." He was born in Germany in 1710, came to America and soon engaged in missionary work among the Indians. He gained unusual influence with them because he was twice married to Indian women. He was often successfully employed by the government as interpreter, or even on dangerous missions to the Indians. He was the emissary most active in bringing to a close the wretched French and Indian war in 1758.⁹

Hector St. Jean de Crève-Coeur, a French writer, emigrated to America in 1754, and settled on a farm near New York, doubtless in Orange County, as April 28, 1779, he interviewed Mrs. Rachel Budd, who had lived on the Susquehanna. Her narrative he included in his "Letters of an American Farmer from 1780 to 1786." The Budds were among the earliest settlers in Wyoming, and in Bradford County. It is an interesting narrative, to be found in Craft's History, page 58. Additional extracts from Crève-Coeur's letters were translated by Steuben Jenkins; October 28, 1774, Vol. I, pp. 202 and 203, "Journey to Wyalusing":

"* * * On the fifth day we arrived at Wyolucing situated ninety miles from Wilkesbury. It is an immense plain of unbounded fertility. I observed the blue grass had been replaced by the white clover, with which all the pastures were covered. There were as yet only a few families living here, and their cattle were of the greatest beauty. All of their districts within line of Connecticut claims have an extent more or less considerable on the river, depending upon the distance of the heads of the mountains, the breadth of the plains, and the fertility of the wood-lands. The most narrow extend to both sides of the river. The savages were anxious to reach home, we therefore quit this place, passing up the river, they showed me the remains of the ancient villages of the Senecas, Sesusing (Sheshequin), Tioga, Chamond, Ockwackaa (Owego), Shenando, &c.

⁸ Now Ulster Narrows.

⁹ See previous chapter concerning Indians; also Penna. Archives.

In fine, after three days navigation, always against the current, we landed at Anaquega,¹⁰ 198 miles from Wilkesbury. This great city is composed of more than 70 houses, some are wigwams made of the bark of the black birch, following the ancient usage, others of wood squared and joined at the corners with a dovetail. Here a worthy Moravian minister joined to the preaching of the gospel lessons on agriculture. It is to his zeal and perseverance that the savages owe the state of comfort in which they live."

An extract from a narrative of Timothy Pickering¹¹ gives another visit to this region:

"Having in the year 1784 purchased an interest in a large location of lands in the vicinity of Great Bend, I set out with some others concerned, to view them in August 1786. We were under the necessity of passing through the Wyoming settlements from Nescopeck to Tioga. The inhabitants were invariably poor, their stock of cattle small. From Nescopeck to Tioga, a distance of 120 miles, *we tasted bread but once.*"

In 1795 the Frenchman, Duc de la Rochefoucauld-Liancourt, traveled through the State and published an extensive journal. He says of his visit here:

"The road from Old Sheshequin to Tioga, which had been represented as a very bad one, proved very good. Here the farm-houses lie closer together. Near Tioga the river of the same name discharges itself into the Susquehanna. The site of the town, or rather the 8 or 10 houses which are so called, is about two miles distant from the confluence of the two rivers. The price of land is eight dollars per acre. * * * the price of wheat is seven shillings sixpence. The town shares 16 yards wide and 50 deep cost twenty dollars. Some venison excepted, no fresh meat has been seen at Tioga since last Autumn. Last year there were three inns * * this year but one; we found it crowded with travellers from the Jerseys, Pennsylvania and New York, who intend to settle on the lakes. After a scanty supper we were all obliged to take up with *two* beds. The sheets which had already served three or four travellers were, according to the landlady, very clean. Yet, on the other hand, we enjoyed the special favor of being permitted to lie down in our boots, as those of our party really did, who like myself, preferred taking their repose on the ground wrapped in a blanket."

Luckless landlady! We wonder was it Mrs. Irwin, Maxwell, Hepburn or Harris?

In October, 1796, an Englishman, Isaac Weld, visited our town. He says:

"On arriving at this place (*Lockhartsburg*) we heard to our disappointment that the Susquehanna was nearly as low as the Tioga, scarcely sufficient water to float a canoe."

However they soon found a riverman who would assist them on their voyage, by whose advice they exchanged their two canoes for a larger one, and resumed their voyage:

"From Lockhartsburg to Wilkesbarre, or Wyoming, the distance is about ninety miles, and when the river is full—as in the fall or spring, you may go down in one day, but owing to the lowness of the water we were no less than four days performing the voyage. In many parts of the river we found the current very rapid; at the Falls of Wyalusing for instance, we were carried three or four miles in about a quarter of an hour, but in other places, where the river was deep, scarcely any current was perceptible, and we were obliged to work our way with paddles. The country bordering on the river abounds with deer and as we passed down we met numberless parties of the country people engaged in

¹⁰ This name is not given by Dr. Beauchamp, but must mean Onondaga.

¹¹ From Upham's "Life of Pickering."

driving these animals. Very fine fish are found in every part of the Susquehanna, and the river is much frequented by wild fowl, particularly by the canvas back duck. * * *

"The whole way between Lockhartsburg and Wilkesbarre are settlements on each side of the river at no great distance from each other. There are also several small towns on the bank of the river, the principal one is Frenchtown—on the western side of the river. This town was laid out at the expense of several philanthropic persons of Pennsylvania, who entered into a subscription for the purpose, as a place of retreat for the unfortunate French emigrants who fled to America."—Weld's *Travels in North America*, London, 1800.¹²

In October, 1804, Alexander Wilson, a celebrated ornithologist visited Niagara Falls via Easton, Wyoming, Tioga Point and New-town. We quote some passages from his "Foresters," a poem describing his journey. It is all most interesting, and we commend it to our readers. The entire portion describing Bradford County may be found in Craft's history of same, page 89. His description of the scenery between Frenchtown¹³ and Sheshequin is fine, and the visit to Obadiah Gore most interesting. This passage begins at "Gore's":

"And e'e'n in bed reposed, the listening ear
Seemed still the accents of the sage to hear.
The morning came; ye gods! how quickly hies
To weary folks the hour when they must rise!
Groping around we fix our various load
And full equipt forth issued to the road.
Inured to toil the woods slide swiftly past,
O'er many an opening farm our eyes we cast;
Here rich flat meadows most luxuriant lie,
Some gleaming orchards gladly we espy;
Full loaded peach trees drooping hung around,
Their mellow fruit thick scattered o'er the ground.
Six cents procured us a sufficient store,
Our napkins crammed, and pockets running o'er;
Delicious fare,—nor did we prize them less
Than Jews did manna in the wilderness.
Still journeying on the river's brink we keep,
And pass the Narrow's high and dangerous steep,
That to the clouds like towering Atlas soars,
While deep below the parted river roars,
Beyond its eastern stream on level lands
There Athens (once Tioga) stands.
Unlike that Athens known in days of old
Where learning found more worshippers than gold,
Here waste, unfinished, their sole schoolhouse lies,
While pompous taverns all around it rise."¹⁴

¹² While this volume was not published until 1800, we think it quite probable that the following information was obtained from Weld or his party (from the "American Gazetteer," London, 1798): "Lockhartsburg, a town in Luzerne County, Pennsylvania, situated on an isthmus formed by the confluence of the Susquehanna and Tioga Rivers, about a mile above their junction. There are as yet but few houses built, but it promises to be a place of importance, as both the rivers are navigable for many miles into the State of New York. It is four miles south of the New York line, nearly 48 westerly of Harmony and 90 above Wilkesbarre."

On sober second thought we might attribute this notice to Richard Caton, the Englishman, who ever had unbounded faith in the navigability of the Susquehanna.

¹³ For further information about Frenchtown see "The Story of Some French Refugees and their 'Azilum,'" by Louise Welles Murray, 1903.

¹⁴ This alludes to the Academy, which at that time lay unfinished for lack of funds. But Matthewson's Old Red Tavern, the tavern in Hollenback building, and that of George Welles, were thriving, as well as Dr. Hopkins' and John Saltmarsh's, which latter still stands on corner of Chemung Street.

Owing to the efforts of the well known Dr. Priestly many Englishmen made settlements along the Loyalsock (now in Sullivan County). Early in the nineteenth century a relative of one of these, Robert Sutcliffe, a Quaker merchant of Sheffield, England, came over, and as he says, "during frequent intervals of leisure which the nature of my mercantile concerns rendered unavoidable," he traveled extensively in the Middle States—upwards of ten thousand miles. His journal was written "without the remotest thought of publication," but is quite as interesting as any in existence, extending over the years 1804, 1805 and 1806. He visited this locality in 1805, coming from central New York:

"12th month 8th This day I travelled along the Bank of Lake Seneca, on which are many pleasing prospects. I had the company of a young man, son of the postmaster at Newtown. In the evening we came to Ely's tavern in Hector township, the son of our landlord was called Hector, the first white child born in the township, he appeared to be about 12 years old. This part abounds with deer and black squirrels, of which provision they had plenty, and we had some for supper; the squirrels were very fat.

"12th month 9th We left early and passed through a romantic country, where we had a view of one of the prettiest waterfalls I had ever seen. I was told that both white inhabitants and Indians kill many deer by hunting them down into the lake, on which they pursue them in a canoe. The pursuers soon overtake the deer, throw a halter over the horns, drag it to side of boat, take the life of the poor animal with a large knife, and then drag it on shore.

"About noon we reached Catharines at end of Lake, a wharf here, some business carried on in vessels of about 15 tons burden. * * We passed on through Catharines' Swamp, a deep narrow valley which resounded with howling of wolves. * * My companion, by way of encouragement, informed me he had never heard of either a wolf or a bear attacking a man except when they or their young are first wounded.

"This evening we came to Newtown, and had good accommodations at Ellis' tavern, where I spent some time with a person of the name of Goldbride, who informed me that he was the first person who had attempted the navigation of the Showmunge into the Susquehanna, and on down to Chesapeake Bay. In this first attempt he had sustained considerable loss, and several of his boatmen were drowned, but from the improvements made in river, considerable business is now doing upon it.

"12th month 10th I left Newtown, and traveling along a thinly peopled country came to a small inn, kept by one, Esquire Wynkoop, where I got some refreshment. The innkeeper was not only a justice of the peace, but also a watchmaker. He appeared to be a very ingenious artist, and, as a magistrate, possessed a good share of useful knowledge. I perceived an edition of Burn's Justice on the shelf with his watchmaking tools, and therefore I suppose he administered justice according to law. (Wynkoop's was in the vicinity of Chemung.) Towards evening I came to Tioga Point, where is the junction of the Showmunge with the Susquehanna; and took up my quarters at Doctor Hopkins, an acquaintance of my relation J. E. (James Ecroyd) to whose habitation at Elklands I was bending my course. This night I lodged at the Doctor's, and next morning set out for Elklands. After travelling along the bank of the Susquehanna and passing by Sugar Creek, I came to Dotherly's tavern in the evening on the banks of Towandy Creek. Here I supped, and the next morning breakfasted on wild venison."

We will not take time to travel farther but would say, in the words of one who has read the book (J. M. M. Gernerdt, Muncy), "This volume teems with striking remarks and pleasant anecdotes; the traveler realizes that he is in a new world; he has his eyes open to every sight, his ear to every sound, and he makes his reader realize that it is quite unlike the Old World. The book shows with a pleasing simplicity how

our American ideas and growing institutions then impressed an Englishman of liberal mind, a man of close observation and strong common sense." Nothing escaped his attention even to the smallest unknown reptile. The last quotation given in Gernerd's "Now and Then," we cannot forbear to copy:

"I observed the people (near Philadelphia) engaged in a singular kind of harvest, breaking up and taking away large quantities of ice to lay up for summer use. Those who have never visited warm climates can scarcely conceive how pleasant the use of ice is, for various purposes of the table, in the summer season."

(This is specially interesting as showing how early Americans learned the use of ice, which England has yet to learn.)

Mr. Sutcliff returned to England and brought over his family, but lived only a short time to enjoy America.

The visit of Louis Philippe (late King of France) and his two brothers to this locality naturally was a notable event. It is an historical fact that the French Directory made certain advances to the Duchess of Orleans on condition that she would induce her oldest son (Louis Philippe) to leave the country. The prince sailed September 24, 1796, in the ship *America*, Captain Ewing, direct to Philadelphia, where he was soon joined by his brothers, who were released from prison to join him. It is supposed that Robert Morris furnished the funds for their travels. After spending a winter in Philadelphia, and visiting Washington at Mount Vernon, they traveled through the country by circuitous route to Niagara Falls. Thence they took the bridle-path or old Indian trail leading through the forests to Tioga Point. It is told by Cass in his book, "France, Its King and People," that they met near Canandaigua Alexander Baring (afterwards Lord Ashburton), whose acquaintance they had lately made in Philadelphia. He told them "that he had left an almost impassable road behind him, and the King answered by the comfortable assurance that Mr. Baring would find no better one before him." Arriving at Geneva, they decided to ascend Seneca Lake in a boat. At its head they shouldered their packs, and came to Newtown (Elmira) on foot, bringing letters of introduction from the son of Robert Morris, Thomas Morris of Canandaigua, to Henry Towar. They lodged for some days at the tavern of Mrs. Seely, while Mr. Towar fitted up a Durham boat in which they descended the Chemung to Tioga Point, where they stopped over night, lodging according to tradition at Doctor Hopkins, (for, while the Doctor did not keep a tavern until 1802, he often entertained distinguished travelers; doubtless because his extensive practice made him well known from Palmyra, N. Y., to Wilkes-Barré). Thence they went down the Susquehanna to the French settlement at Asylum, thence to Wilkes-Barré, where they were entertained in royal fashion by Matthias Hollenback, and thence to Philadelphia. August 14, 1797, the Duc de Montpensier wrote to his sister thus describing their journey:

"It took us four months—we travelled a thousand leagues, which we performed partly by water, partly on foot, partly on hired horses, and partly in the stage or public conveyance. We have seen many Indians, and remained several days in their country. To give you an idea of the agreeable manner in which

they travel in this country I will tell you that we passed fourteen nights in the woods, devoured by all kinds of insects, after being wet to the bone, without being able to dry ourselves, and eating pork, and sometimes a little salt beef and corn bread."

In spite of their vicissitudes, the royalties carried princely gear, for at Wilkes-Barré one of them is reported by Mrs. Alexander, step-daughter of Matthias Hollenback, to have been dressed in an entire suit of white satin, with ruffles of exquisite lace in his sleeves. What a stir it must have made in every hamlet where they rested; for, despite their fallen fortunes, they were princes still.

Joseph Bonaparte was also in this vicinity; it is even related he remained long enough to become enamored of a young lady in Towanda. At a much later date his wife came twice to Tioga Point, traveling in great state in her own coach and four with outriders, all the way from Baltimore. She was the guest of Mrs. Abner Murray, 2nd, of whom she was very fond. Mrs. Murray, by a previous marriage to a man connected with the Patterson family, had lived in Baltimore, and become a favorite of Madame Bonaparte, hence the visits, which doubtless also extended to her nearer relative, Mrs. Elizabeth Patterson (Saltmarsh); though there is no positive record of this, as of the visits to Mrs. Murray.

One other distinguished visitor doubtless honored Tioga Point, though we have no journal from which to quote. Talleyrand, the world famous Frenchman, visited Asylum, and the French settlement on the Chenango in 1795, and we assume he rested here. One of the young Frenchmen of Asylum, Louis Paul d'Autremont, accompanied him on his return to France as private secretary. There is little question but that Louis observed this locality, as July, 1798, in a letter to his mother, living in Asylum, he thus writes:

"If my brother has an opportunity in passing upon the Susquehanna to see the fine farm at the junction of the Tioga, that was formerly for sale, let him enquire the conditions. The farm is most beautifully situated, and is called Queen Esther's Flats."

It is easy to see from all these transcripts that this valley was early admired by every passerby, to whom it became familiar because on the only known route from Niagara direct to Philadelphia.

PART II

THE CONNECTICUT CLAIM

1754-1798

At this epoch, the history of the settlement of Tioga Point needs to be considered from three separate standpoints; that of the Pennsylvania claimants, that of the Connecticut claimants, and that of the carefully concealed history due to the strife between these two parties. It is quite amazing to discover how little of the last, and one may well say also of the first, has been unravelled. After the lapse of more than a century, it is well nigh impossible to gather up all the fragments, though there are always new bits coming to light in unexpected places. Careful study of old letters, Mss., and archives fails to reveal the underlying motives of many actions, or the full plan of procedure. Desiring to make a plain record, after years of research, we find as many missing links still as in the early Indian history. Yet every new discovery proves that, call it what you will, Te-a-o-ga, Diahoga, Tioga Point, Old Tiog' Pint, or just the Pint, this town was ever well known and even famous with the Indian, the soldier, the traveler and the pioneer. It is only since it was permanently, or let us say officially, saddled with the name of Athens, that it seems to have sunk into comparative insignificance, overshadowed by its ambitious sister towns of more hasty growth. Our original purpose was to give the history of Tioga Point and her neighbors, whose interests were all closely connected in early times. But the wealth of unexpected material has led to a decision to consider the neighbors only as accessory to a full comprehension of Tioga Point history. Otherwise the work must needs run into several volumes.

The attempt to combine the events as viewed from the three standpoints will doubtless provoke sharp criticism from those who have not struggled with the vexing problems of the times.

CHAPTER XIII

THE GENERAL LAND CONTROVERSY

A Few Outlines, Queries, Answers and Reflections

It is impossible to understand the history of Tioga Point and vicinity without some knowledge of the great land controversy between Connecticut and Pennsylvania. We therefore beg our readers, even the youngest, not to "skip this chapter because its heading sounds prosy." The late Hon. Stanley Woodward, of Wilkes-Barré, said of this subject (address before the Wyoming Historical Society), "The struggle between the Connecticut colonists and the representatives of William Penn, from a present point of view, is unique, and *should* be interesting. To comprehend it accurately requires a review of certain historical facts and conditions which underlie the epoch, and disclose its true character."

While it is now well nigh impossible to understand fully the fierce controversies of the pioneer settlers, yet it is wise to attempt to fathom their most serious problems. For it was their struggle for existence that not only won for their posterity this fair heritage, *but that made the best of us the people that we are.*

The Connecticut pioneers were progressive Puritans; sagacious, efficient, pertinacious, *heroic*. The Pennsylvanians were of different nationalities and sects; Quakers, Dutch, German, Scotch-Irish; with different characteristics; all excellent, but, in most cases, antagonistic to the "Yankee"; for various reasons.

There appears to be to-day so little definite knowledge of this great controversy, that it would seem wise to introduce into the course of study in our public schools, a concise and lucid explanation. At the time, the country was flooded with literature on the subject, and that too in a day when literature was scarce; yet there were pamphlets, books and many newspaper articles devoted to it. It is curious that the greater part of the publications were solely from the Connecticut point of view. It has even been said that an impartial view could not be taken. But it is our ambition as a descendant of Connecticut stock, and at the same time of one of the first Pennsylvania claimants on Tioga Point, to present the subject, not only so clearly that it will be read and understood by the present, and the rising generation; but so that no one can accuse us of partisanship. Every available source of information has been consulted; and, after careful consideration of the matter, we feel moved to adopt the sentiment of Upham, the biographer of Timothy Pickering,¹ who says, "Upon balancing the facts and evidence, we are brought, not to the conclusion usually the result of a fair

¹ That able Pennsylvanian (of Connecticut stock) of whom Fisher says, "Pickering represented Pennsylvania, and the sober second thought of her decent people." There is little question but that Pickering, with his ability and sound common sense, was the greatest factor in the final settlement of controversy.

consideration of the whole subject in like cases, that both parties were in the wrong, but that both were substantially in the right." (Vol. II, p. 228.)

For exhaustive treatment the reader is referred to Harvey's "History of Wilkes-Barré." For briefer, yet fair-minded accounts, the "Brief of the Seventeen Townships," written in 1879, for the Historical Society of Pennsylvania by the late Henry M. Hoyt (including an excellent bibliography). Also the chapter in Fisher's "Making of Pennsylvania," entitled "The Connecticut Invasion." Much space must be given in the history of Tioga Point to the local controversy; therefore, the general topic will be presented in the form of queries and answers, available for quick reference on any given point. This idea is derived from an old Mss. in the handwriting of our own John Franklin.

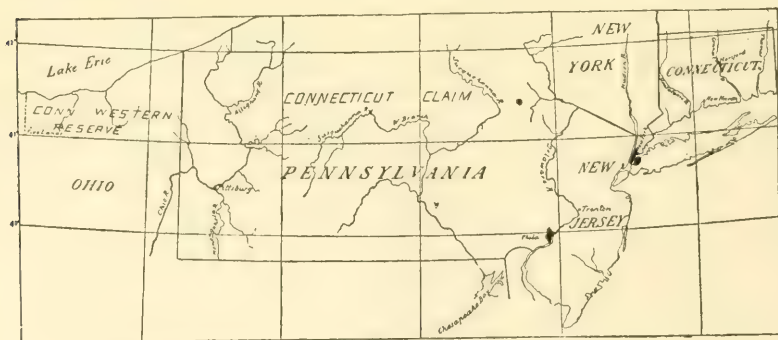
How many, even of our oldest residents, can answer the following questions?

- I. What was the territory claimed by Connecticut?
- II. What were the boundaries designated in the charters granted by King Charles to Connecticut colonists, and to William Penn.
- III. What was the Susquehanna Company?
- IV. What is meant by the "Indian Purchases"?
- V. What were the Seventeen Townships, and where located?
- VI. What were the Pennamite Wars?
- VII. What was the Decree of Trenton?
- VIII. What was the Confirming Act?
- IX. How were the different rights designated?
- X. What was the Intrusion Law?
- XI. What was the Compromise Act, and its consequences?
- XII. When did the controversy finally close?

We will answer these queries as briefly as possible, repeating each with the answer:

Query I. What was the territory claimed by Connecticut?

Answer. This is most easily understood by reference to the accompanying map, copied from one used by Charles Miner in his his-



Map Showing the Connecticut Claim in Pennsylvania and the Western Reserve in Ohio.

tory of Wyoming,² where the territory is designated by lines drawn across Pennsylvania, corresponding with the upper and lower boundaries of Connecticut. While this extended entirely across Pennsylvania, and some effort was eventually made to settle all the claim, the great activity was in the Susquehanna Valley; therefore, the history of the Connecticut claim is of special interest in *this* valley; and the more so, because at Tioga Point, or Athens, as they chose to call it, the fierce defenders of Connecticut faith made their last stand; and, according to their standards, won the day. The reader is invited to fight their battles over again, and make the decision for himself.

Query II. What were the boundaries designated in the charters granted by King Charles to Connecticut colonists, and to William Penn?

Answer. The English having discovered North America from latitude 31° to 48°, and made entry upon it, the British Crown at once assumed a right to it; and divided aforesaid territory into two great provinces, called South Virginia, and North Virginia, or New England. In 1662 Charles II granted to Connecticut colonists the strip of land bounded by Narraganset Bay on the east, and the South Sea on the west; * * or, as James I had already granted it in 1620, "from sea to sea," between latitude 41° and 42°. In 1681 the same King, Charles II, granted to William Penn lands having the 42d degree for their northern boundary, thus overlapping by one degree the grant made nineteen years earlier. Nor was it (as has often been said) done in ignorance, either of the width of the continent, or the overlapping of boundaries.³ We have but to consult the records and maps of the time to be convinced that Charles II was well aware of these seeming errors. The special point made by Connecticut was that Connecticut colonists had the *prior* grant; therefore, it could not be set aside. But a little investigation shows that in the time of Charles II the Crown had many rights now given over to Parliament.

"The right of the sovereign to grant land was just the reverse of the rights of a private individual. With the King it was the *last* grant which was valid; and all prior grants were void. The title of the King was never exhausted. This system gave the colonists endless trouble, and proved the basis of one of their complaints in the Declaration of Independence."—*Fisher*.

² Here reproduced by courtesy of Tioga County Historical Society.

³ In perhaps the only paper published in defense of Pennsylvania, that of Rev. William Smith, Provost of the University of Pennsylvania in 1774, he says, "The notion of extending the Claim of the Colony of Connecticut seems to have been first started by a certain schemer, and has since been generally treated as the wild chimera of a visionary brain." (Unfortunately he does not name the schemer.) He also says: "Hutchinson says the geography of this part of America was less understood than at present. Some of Champlain's people, who had been but a few days' march from Quebec, reported joyfully that from the top of a high mountain they had discovered the South Sea. We all know what were the original motives of our ancestors in the first adventures to America. The mines of Peru and Mexico had raised the attention of Europe. All lands toward the South Sea were considered as rich repositories of the precious dust; and other nations were desirous of sharing with the Spaniards the Golden Harvest. The extent of this northern continent was not known. It was considered as a sort of isthmus, not much wider perhaps than that of Darien, and the voyage of the circumnavigators had been in such a track as not to discover the mistake. In 1608 the great Council of Virginia considered their country as a sort of isthmus of this kind. A barge made in sections was fitted up in England to convey them to the South Sea, and the Captain and his company were ordered 'not to return without a lump of gold, a certainty of the said Sea,' or one of the lost Raleigh Company. The South Sea was therefore put into the great original patents of Virginia with derivative grants, but certainly *not* with the intention of vesting any of the grantees with a country afterwards found to be at least 3000 miles across."

The attorney-general of England thus reports :

"The tract of land desired by William Penn seems to be undisposed of by his Majesty, *except the imaginary lines of New England patents*, (which are bounded westerly by the main ocean) *should give them a real though impractical right to all those vast territories.*"

Fisher says :

"The lord commissioners (of trade) do not seem to have the slightest doubt as to the legal right of the King to make the grant (Penn's) without regard to whose territory it would overlap."

Among these commissioners were some of the greatest lawyers of the age.

Query III. What was the Susquehanna Company?

Answer. For this answer we quote at length from Miss Larned's "History of Windham County, Connecticut," pp. 556 to 560 :

"The chief public interest in Windham between 1750-55, was the grand colonization scheme then brought before the public. That spirit of enterprise, that migratory impulse, which has led the sons of the Pilgrims from Plymouth Rock to the coast of the Pacific, was early manifested in Windham County. In 1750 the spirit of emigration, long smoldering, broke out into open flame. Connecticut's chartered right had never been yielded. The marvellous richness and beauty of the Susquehanna Valley were already celebrated, and now it was proposed to plant a Colony in this beautiful region, and thus incorporate it into the jurisdiction of Connecticut. The originators of this notable scheme are unknown; but it was soon promulgated and discussed in several Windham County townships, and, early in 1753, thus laid before the General Assembly:—

"To the Honorable Assembly, to be holden at Hartford, second Thursday of May next, the memorial of the subscribers, inhabitants of Farmington, Windham, Plainfield, and of several other towns, all of Connecticut Colony, humbly sheweth: That, whereas, there is a large quantity of land lying upon a river called Susquehanna, and also at a place called Quiwaumuck, and that there is no English inhabitant that lives on said land, nor near thereunto, and the same lies about seventy miles west of Dielewey River, and, as we suppose, within the charter of the Colony of Connecticut, and that there is a number of Indians that live on or near the place of land aforesaid, who lay claim to the same, and we, the subscribers, to the number of one hundred persons, who are very desirous to go and inhabit the aforesaid land, and at the place aforesaid, provided that we can obtain a quiet or quit-claim of the Honorable Assembly, of a tract of land lying at the place aforesaid, and to contain a quantity sixteen miles square, to lie on both sides Susquehanna River, and as the Indians lay claim to the same, we propose to purchase of them their right, so as to be at peace with them; whereupon, we humbly pray, That the Honorably Assembly would grant to us a quit-claim of the aforesaid tract, or so much as the Honorably Assembly shall think best, upon such terms as your Honors shall think reasonable, and in such a way and manner, that in case we cannot hold and enjoy the same by virtue of said grant, yet notwithstanding, the same not to be hurtful or prejudicial on any account to this Colony; and in case we can Hold and possess said land, then to be always under the government, and subject to the laws and discipline of this Colony; and provided, that we, the said subscribers, shall within three years next coming lay the same out in equal proportion, and settle upon the same, as also purchase the right of the Natives as aforesaid, or in some other way grant us the land aforesaid, as your Honors shall think best, as we, in duty bound, shall ever pray.

"March 29, 1753.

"A meeting for forming a company for the colonization of the Susquehanna Valley, was held in Windham, July 18, 1753. A large number was present, and great enthusiasm manifested. Articles of agreement were presented and adopted, receiving more than two hundred and fifty signatures. Jonathan Skinner, Jabez Fitch, Eliphalet Dyer, John Smith and Captain Robert Dixon, were appointed a committee 'to repair to the place on said river, view said land and purchase

right of natives, receive, prepare, lay out and convey said land—the company agreeing that each subscriber should pay to the committee ‘two Spanish milled dollars before said committee thus going to settle, set out on said business; and on their return upon their rendering their accounts, pay each one’s proportion of expense.’ They were further instructed to set out immediately, or before September 1, to secure a tract of land twenty miles one way and ten another, and not expend over a thousand pounds.

“Applications for admission to the Company soon came from every corner of Connecticut.

“During the summer, negotiations were successfully conducted between representatives of the Six Nations, which claimed the land, and Messrs. Woodbridge and Dyer on behalf of the Company, and a deed secured of a tract of land called Quiwaumuck or Wyoming, in the Susquehanna Valley. The succeeding meeting of the Susquehanna Company was held in Hartford, November 27, 1754. The project now had far outgrown county limits and embraced the whole Commonwealth.

“Phineas Lyman, George Wyllis, and Eliphalet Dyer were appointed a committee, to manage, transact and do everything in the name and behalf of the Susquehanna Company, on order to *prefer* the circumstances of the purchase lately made of the Indians, and all proper exhibits, to lay before his Majesty for his grant and confirmation. It was voted, to petition the Assembly for incorporation; that two dollars more be raised on every old share and one dollar on half a share, to be improved in completing the purchase, and that the clerk be a receiver, and that he transmit the same into the hands of the treasurer. One thousand dollars were ordered to be immediately transmitted to Colonel John Henry Lydius of Albany, in order to complete the purchase, in compliance with the agreement of the agents, and more if necessary. Eight hundred ‘whole-some persons’ were now allowed in the company; new subscribers paying nine dollars per share. Samuel Talcott of Hartford, Isaac Tracy of Norwich, Samuel Gray of Windham, Oliver Wolcott of Litchfield, Samuel Bishop of New Haven, and Joseph Wakeman of Fairfield, were intrusted with the management of affairs in their respective counties. There were eventually above 1200 members.

“In May, 1755, an address was prepared and presented to the Assembly, asking its countenance and protection in erecting a new colony, with liberty to employ suitable persons to erect monuments at the corners of the land already purchased, procure and lay out a township, and to build and erect sufficient fortifications, a grist-mill and saw-mill. In response to these requests, the Assembly resolved:—

“That they are of opinion that the peaceable and orderly erecting and carrying on some new and well-regulated colony or plantation in the lands above-said would greatly tend to fix and secure such Indian nations in allegiance to his Majesty and friendships with his subjects, and accordingly hereby manifest their ready acquiescence therein, if it should be his Majesty’s royal pleasure to grant said lands to said petitioners, and thereon erect or settle a new colony in such form and under such regulations as might be consistent with his royal wisdom, and also take leave humbly to recommend the said petitioners to his royal favor in the premises.’

“As incorporation and confirmation were beyond the province of the Government of Connecticut, the Company was forced to await the issue of an appeal to the Crown. The culminations of the long-standing difficulties between England and France prevented further action at this period. A protracted war was at hand. Hostilities had already commenced and the Susquehanna Company was forced to defer occupation of their Purchase till a more favorable time.”

As is well known, the first settlement was eventually made at Wyoming, which was the seat of all disorders until the Decree of Trenton.⁴

The above gives an idea of the general sentiment in Connecticut, the proceedings of the Susquehanna Company being at first disclaimed by their own colony.

⁴ March 13, 1754, Governor Wolcott of Connecticut, thus wrote to Governor Hamilton of Pennsylvania (for whole letter see II Pennsylvania Archives, p. 126): “There being now no unappropriated lands with us, some of our inhabitants hearing of these lands at Susque-

Query IV. What is meant by the Indian Purchases?

Answer. The Indian purchases were as varied and conflicting as the charters; but it must be attributed to the characteristics of the Indian. Being always more or less migratory, title to *them* meant merely the right to hunt or fish. Option or pre-emption was beyond their comprehension; and there is little doubt but that the white man, even the puritanical proprietors of the Susquehanna Company, took advantage of this.⁵ October 25, 1736, twenty-three chiefs deeded to the Penns all the lands within the limits of Pennsylvania. The deed was made out to the Proprietaries of Pennsylvania (a name given to Penn, his heirs and agents), and agreed:

"That neither we nor any in our nations, will at any time bargain, sell, grant, or by any means make over to any person or persons other than said Proprietaries * * * any lands within Pennsylvania as it is bounded northward by the government of New York and Albany."

This was the famous deed of pre-emption of which so much was said in discussion of Indian title. Craft says this deed was indorsed, confirmed and ratified by the chiefs of the Six Nations, July 9, 1754.

Governor Hoyt says that on July 11, 1754, only two days later, eighteen chiefs deeded to the Susquehanna Company" (through the agency of Colonel Lydius of Albany) a tract of land embracing the tract afterward known as Westmoreland. (These deeds can be found in Hoyt's Brief, page 15.) The Indians later claimed that this was a fraudulent deed; that only a few of them were consulted, and that they were purposely put under influence of liquor, etc., etc. (see Hoyt, p. 39). In 1768 the Six Nations deeded to John and Richard Penn all of Pennsylvania not heretofore purchased. As all these purchases were called in question by the opposing party, it seems reasonable to suppose that all the Indian chiefs failed to participate in any one of them. (The Pennsylvania Archives and Smith's Laws give these deeds in full.) The *London Magazine* of 1753 says:

"America, Connecticut, July 27, 1753, several hundred people of this colony have agreed to purchase a large tract of land of the Six Nations, on the Susquehanna, about 300 leagues to the westward, lying within the limits of their charter, to settle upon it, expecting that it will in a short time be a distinct government."

hanna, and that it was *north of the grant made to Mr. Penn*, are upon a design of making a purchase from the indians, and hope to obtain a grant of it from the Crown. This appearing to be a design to promote his Majesty's interest * * * we were all well wishers to it. But Mr. Armstrong informs me that this land is *certainly within Mr. Penn's grant*; if so I don't suppose our people had any purpose to quarrel with Penna. Indeed I don't know the mind of every private man, but I never heard of our *leading men* expressing themselves so inclined."

⁵ When the representatives of the Six Nations met the Pennsylvania Commissioners in 1754 to sell some Susquehanna lands, they made reservations as follows: "We will never part with the land at Shamokin and Wyoming; our bones are scattered there, and on this land there has always been a great council fire. We desire that you will not take it amiss that we will not part with it. We have heard that our Brother Onas (Penn) and our Brother of New England have had some Disputes about the lands of Susquehanna. We desire you would not differ with one another about it, for neither shall have it. We will not part with it to neither of you."

Again, "As to Wyommick and Shamokin and land contiguous thereto on Susquehannah, we reserve them for our hunting ground, and for the residence of such as in this time of War shall remove from among the French and choose to live there. Nobody shall have this land."—Colonial Records, Vol. VI, pp. 116-119.

⁶ The original of this deed is still in existence, now in collection of Historical Society of Pennsylvania, and has been examined by the author. The Indian signatures are most curious; when unable to write they used their totems as distinctive marks.

Afterwards the Indians spoke of the deed to the Susquehanna Company as "the deceitful Deed that John Lydius inveigled some of us to sign." "We agree that the deed should be destroyed," etc.; proposing that Governor Morris should find a way to oblige the Government of Connecticut to discontinuance of this proceeding."—Colonial Records, Vol. VI, p. 277.

This may be called the first printed notice of the proposed settlement.

Query V. What were the Seventeen Townships, and where located?

Answer. The Susquehanna Company granted townships five miles square along the Susquehanna, so run as to include as far as possible the fertile river flats (often already cultivated by the Indians), *avoiding the hill lands*. The Seventeen Townships were those occupied or acquired before the Decree of Trenton; they extended in blocks from Berwick to Tioga Point, and contained about 3,000 inhabitants at the beginning of 1778.

Query VI. What were the Pennamite Wars?

Answer. When the settlers under the Susquehanna Company first came to Wyoming Valley, they found Pennsylvanians already on the ground, prepared to contest the rights of Connecticut. Then ensued years of strife with forts, armed troops, battles, bloodshed and animosity incredible. The Puritans were conscientiously tenacious and intolerant toward the Quakers. There were several distinct conflicts, always known as the Pennamite or Yankee-Pennamite Wars. The first began in 1769 with Ogden, an Indian trader from New Jersey, as leader of the Pennsylvanians. He was followed as leader by Colonel Plunkett of Northumberland, whose movement was called the "Plunkett Invasion." The third Pennsylvania leader was Alexander Patterson, Chairman of Committee of Pennsylvania Landholders, who came armed with authority as justice of the peace; "he was a despicable man."

Harvey says there were but two wars, ending, respectively, in 1775 and 1784; others, generally, say three. "Each was a bloody conflict, full of complications, breaches of faith and treachery." (Fuller accounts will be found in Miner's "History of Wyoming," and Harvey's "History of Wilkes-Barré.")

Query VII. What was the Decree of Trenton?

Answer. The Revolutionary War was no sooner ended than Pennsylvania appealed to Congress to settle the dispute. Accordingly in 1782, in spite of some protests from Connecticut, Congress commissioned seven men from different states, who should constitute a court, which began its sessions at Trenton, N. J., November 12, 1782. The trial and argument lasted forty-one days. It was agreed that all proceedings should be kept secret; and only brief notes have come down to us, to be found in the Archives and in Hoyt's Brief aforementioned. The decision was short, carefully worded, and as follows:

"The cause has been well argued by the learned Counsel on both sides. The Court are now ready to pronounce their sentence or judgment. We are unanimously of the opinion that Connecticut has no right to the lands in controversy. We are also unanimously of opinion that the jurisdiction and pre-emption of all the territory lying within the Charter of Pennsylvania, and now claimed by the State of Connecticut, do of right belong to the State of Pennsylvania."

This decree was quietly acquiesced in by the State of Connecticut. It was recognized as an important step in nationality, being the first

decision under the Continental Union of a serious dispute between two independent States. But, if Connecticut, *as a State*, acquiesced, the settlers under the Susquehanna Company *did not*; they held their case as still undecided. The Trenton decision was only as to jurisdiction. The commissioners in a *private* letter⁷ requested Pennsylvania to respect the right of soil, as it was called; that is, that the original settler has the right of possession until otherwise proven, for, as has been well said, "the first foothold of the pioneer was the best of titles." Every new tribulation of the Connecticut settlers was more complicated than the last. The controversy over the right of soil was the cause of the last Pennamite-Yankee War.

NOTE 7.

"Trenton 31 Dec 1782

"Sir—We take the liberty to address your Excellency, as private Citizens, lately honored with a Commission to hear and determine the Controversy between the States of Pennsylvania and Connecticut, relative to disputed Territory. In the course of executing this Commission we have found that many Persons are or have lately been settled on the lands in Question. Their individual claims could, in no Instance, come before us, not being within the line of our appointment. We beg leave to declare to your Excellency that we think the situation of these People well deserves the notice of Government. The dispute has long subsisted; it may have produced Heats and Animositities among those living on or near the Country in Contest, and some Imprudences may take place and draw after them the most unfavorable consequences. With all deference therefore we would suggest to your Excellency and the Council whether it would not be best to adopt some reasonable measures to prevent any the least Violence, Disorder, or misunderstanding among them; and to continue things in the present peaceable posture until proper steps can be taken to decide the Controversies respecting the private right of soil in the mode prescribed by the Confederation. We doubt not an early Proclamation from the Executive of Pennsylvania would have all necessary good Effects; and we feel ourselves happy in the fullest confidens that every means will be adopted or acquiesced in by the State, to render the settlement of this dispute complete, and satisfactory, as far as may be, to all concerned.

"We have the Honour to be with great respect your Excellency's most obedient and very Humble Servants.

"His Excellency John Dickinson Esqr."

J. M. Whipple

Wilcome Arnold

W. H. H. H.

C. Griffin

David Brearley

"On the back is written 1783 Jan 2. From Commissioners &c. read in Council same day."

This letter was a secret, and was lost for years, and at last brought to light by Timothy Pickering. Many copies were made and put into circulation. The original is now in Athens in the possession of the heirs of Edward Herrick, Jr., from which the autographs were reproduced. Pickering having heard of this letter attempted to find it by writing to Briarley, who answered as follows:

"Trenton 4 March 1790.

"Timothy Pickering, Dear Sir—(After telling that he cannot find letter wanted.) We had very strong reasons for writing the letter to the President of Pa. We are fully acquainted with the peculiar circumstances of the New England settlers, that they had settled in good faith, &c., and if state attempted to dispossess they would become desperate and civil war be the consequence. That therefore the interest of humanity and the policy of the state would lead them to adopt the measures we recommended. The letter bore no official authority, we subscribed it as private citizens. Nevertheless we did conceive that it would have found weight, as it must be apparent that our means of information have been better than those of any other persons who were disinterested.

"DAVID BRIARLEY."

Three years later Pickering tries again with better success, as here shown:

"Wilmington March 30 1793.

"Yesterday on my Return from a Journey I received thy Letter of the twenty fifth instant. It gives me very particular pleasure that I have found the letter from the Commissioners. Confiding that it will be immediately delivered to the Supreme Executive of Pennsylvania, it is enclosed.

"I am with great respect thy sincere friend,

"Timothy Pickering Esquire Philadelphia.

JOHN DICKINSON."

Of these three letters 'tis a curious fact that *the originals of the first and last* are in Athens to-day; while that of Briarley we recently found among Mss. of American Philosophical Society, by whose courtesy it is reproduced.

Hoyt says that no publicity was given to the first letter until the trial of Van Horn vs. Dorrance, in 1795; he was shown the originals by Edward Herrick in 1879, but does not say where they were found. The first letter is in the handwriting of Whipple.

Query VIII. What was the Confirming Act?

Answer. Owing to the new disturbances growing out of the Trenton decree, a petition was sent to the Pennsylvania Legislature asking that the Seventeen Townships might be confirmed to the Connecticut settlers therein. Whereupon was passed, March 27, 1787, what was called the *confirming law*. This may be found in 2nd Series, Pennsylvania Archives, Vol. XVIII, p. 660. The purport was to confirm the title of every Connecticut claimant, who was an actual settler and owner of land, *prior to the decree of Trenton*; the Pennsylvania claimants in the same territory were to be given lands of equal value elsewhere in the State. Craft says: "This law was important, because it was the first unqualified acknowledgment on the part of Pennsylvania of the Connecticut claimants." The passage of the act, however, brought on a crisis; while the Connecticut claimants voted to accept it, there arose such a storm of criticism that it was suspended one year from enactment, and repealed April, 1790.

Hoyt calls this repeal "a bad breach of public faith," but by it a step had been gained, and an important one. The effect of the repeal was to turn the whole matter over to the civil courts, though the Connecticut settlers continued to occupy the land and were undisturbed. Many suits were brought for ejectment, but only one was tried, the

famous one, still quoted, of Van Horn vs. Dorrance. Fisher says: "Such a case, involving history, romance, adventure and constitutional law, had seldom, if ever, been tried." It was decided against the Connecticut claimant.

Query IX. How were the different rights designated?

Answer. According to the rules of the Susquehanna Company, each township of five miles square was to be divided into fifty-three parts, each of equal quality; fifty appropriated to the settlers, one for the use of schools, one for the church, and one for the first gospel minister who should settle in the township. At first, grants were made only at regular meetings of the Susquehanna Company; but, as the business grew, a standing committee was appointed for this purpose. In accordance with votes of the company at various meetings, five kinds of rights came to be recognized, to wit: *Original Rights*, being those of original proprietors of company, who had paid from \$2.00 to \$15.00 for admission. *Settlers' Rights*, offered as a gratuity to a certain number who would go on ground, and hold possession for a certain number of years, being offered to promote rapid settlement, and compete with Pennsylvania. *Suffering Rights*, which were additional grants, given as compensation to those who suffered losses in the conflicts with Pennsylvania. (The committee was empowered to lay out a suffering township on Muncy Creek.) *Certificate Rights*, granted to proprietors in the company who did not become actual settlers; these certificates were sometimes sold, and also used as currency or sources of speculation. *Half-Share Rights*, which from the organization of the company men were permitted to purchase. "The shares issued by the Susquehanna Company increased from 850 to 1240, perhaps one hundred being granted for services rendered. A considerable number of half shares were given out, as many poor persons wished an interest in the purchase, and did not feel able to buy a whole right. Only 2000 acres were allowed on a whole share, 1000 on a half share. Prices of shares varied from \$50. to \$100. To preserve order, and prevent interfering claims, a land office was established; where, when shares were produced to the amount of 16000 acres, a survey was made by an appointed officer, a patent or grant of township issued and recorded; the shares being received or cancelled. For several years John Jenkins was surveyor-general, Joseph Biles his deputy." Miner, p. 145. Also, after the discontent created by Trenton decree, it was decided to encourage further settlement by offering half-share rights "to every able-bodied and effective man who would move onto the land, submit himself to the orders of the company, and agree to remain three years." These later half-share men were dubbed "Wild Yankees," to distinguish them from the old settlers. This became a term of opprobrium, as will be seen later. Four hundred half-shares were to be so issued.

"No. 264.

"These certify all Persons whom it may concern, that Matthias Holonback of Wyoming in the State of Pennsylvania is intituled to One Half Share in the SUSQUEHANNAH PURCHASE of Lands, according to the Vote of said Company for the disposal of Rights in said Purchase, at their Meeting held at Hartford, July 13, 1785.

"Certified

"SAM'L GRAY, Clerk."

I do hereby certify that Samy Gore. is admitted a half share proprietor in the Lug's purchase & entitled to all the profits of any half share proprietor in said Company agreeable to a vote of the Company at their meeting held at Sturford July 13th 1785

I do record the remains in said County for the share of Samy Gore and conforms himself as directed by said Justice —

Given under my hand at Worming this 10th Sep^r 1785 -
John Franklin Com^{rs}

(Endorsed on the back in the hand of Col. Franklin.)

"The within Certificate No. 264 Despos'd of to the within named Matthias Hollenback by me.

"Wyoming Feb. 28, 1786.

JOHN FRANKLIN, one of the Committee."

"Entered in the Town of Athens for one right.

"Test, JOHN FRANKLIN."

A certificate of a Susquehanna Whole Share Right to Samuel Huntington, some time President of the Continental Congress, and for many years Governor of Connecticut:

"Windham 7th July A. D. 1773.

"These Presents Witness—That we the Subscribers, Committee of the Susquehanna Company: In consideration of Sundry beneficial Services done by Samuel Huntington, of Norwich, for said Company—Do hereby Institute him to one whole Share in the Lands in sd. Susquehannah Purchase in equal proportion, with the other Proprietors.

"ELIPHALET DYER

"JED'A ELDERKIN

"SAM'L GRAY

"NATH'A WALES JR

} Committee."

"Recorded on the Records of the Susquehannah Company.

"Liber E. Page 364, Sept. 6, 1796.

"Attest—David Paine, Ass't Clerk."

Query X. What was the Intrusion Law?

Answer. In spite of the repeal of the confirming law, the Susquehanna Company continued their operations. By 1795 the present county of Bradford was covered by claims of their grantees, and by Pennsylvania warrants, both under and on top of them. Whereupon the State passed a new act designed to prevent intrusions on these lands, making such punishable by fine or imprisonment. This was called the Intrusion Law, and provoked sharp criticism. In 1801 a supplementary act was passed *forbidding* all future intrusions. Yankee settlers who came in after the decree of Trenton were now called Connecticut intruders.

Query XI. What was the Compromise Act, and its consequences?

Answer. On April 4, 1799, the legislature passed an act entitled "*An act for offering compensation to the Pennsylvania claimants of certain lands within the seventeen townships.*" This was the Compromise Act, though commonly called the Compromise Law, rendered necessary by the position of the Pennsylvania claimants, who were entirely out in the cold. By this act *all* claimants were required to release or give up their titles to the Commonwealth. That being done, the Pennsylvanians were to be paid for theirs in money, and the Connecticut claimants, who were actual settlers before the decree of Trenton, were to have their land given back to them by the State on making a small payment.

Under this act, commissioners were appointed to ascertain the quality, quantity and situation of lands in the Seventeen Townships, held by both claimants; to divide the land into four classes and affix the value to each class. These commissioners were Thomas Cooper, General Steele and William Wilson; their duties were difficult and delicate. The valuations were from eight and a quarter cents an acre to a sum not exceeding five dollars.

The Connecticut settlers, though at first a little slow, finally came forward in large numbers and released. The Pennsylvania speculators would not release at all, and another act had to be passed in 1802 which allowed the Yankees a title without being sued by Pennsylvania claimants. In 1807 a final act was passed by which Connecticut claimants were not obliged to have occupied before decree of Trenton, and Pennsylvania claimants could release and be paid in money if they had acquired title before Confirming Act. In 1808 all powers of commissioners were suspended, and they were required to deposit their books, records, etc., in the land office of the State.⁸

Fisher says:

"Thus after a shameful waste of life, property and money, the legislature was compelled to do what it could have done just as well fifteen years before. What shall be said of such a history? If ever there was a quarrel unnecessary, wasteful and foolish, it was this dispute. Let us hope that something besides cruelty, devastation and wrong, resulted from that mistaken persistence of Connecticut, a persistence which attempted to grasp a western empire which the lawful decrees of the British Crown had given to another Commonwealth."

Query XII. When did the controversy finally close?

Answer. It has generally been said that the controversy closed in 1808, when the commissioners completed their work, according to the Compromise Act, yet it is high time for Tioga Point to claim her own. The controversy *did not come to an end at Wyoming, or in 1808*, but was transferred to Bradford County, where, with the exception of bloodshed, it was as bitter as ever, and may be said to have ended only with the close of the Welles-Matthewson case in 1827.⁹

The above quotations from the New York Regents' Boundary Report, prove a lamentable ignorance as to the excluded townships.

Having thus given, as it were, a bird's-eye view of the principal points of the controversy, let us reiterate Hoyt's outline; an exact judicial view of the whole matter; as follows:

"The Royal Charters and Grants to Connecticut and Pennsylvania.

"The purchases by both colonies from the Indians.

"The possession taken by both parties.

"The decree of Trenton.

"The statutes of Pennsylvania after that decree, and the decisions of the courts under them." * * *

As to effects, "it involved the lives of hundreds, was the ruin of thousands, and cost the State millions. It wore out one entire generation. It was righteously settled in the end. We can afford now to look at it without bias or bitter feeling." * * * In conclusion, "I. In the forum of Law, Connecticut, with a

⁸ For all these laws see Pennsylvania Archives, Second Series, Vol. XVIII. Here find Provost Smith's pamphlet, and some minutes of Susquehanna Company, also Governor Wolcott's letter as mentioned, reports of commissioners, and much of interest to the student of State or local history.

⁹ "In 1808 the powers of the Commissioners were suspended, and the case between the State of Pennsylvania and the Connecticut settlers of the Seventeen Townships came to an end. (Note—Although the number of certified Townships is generally given as seventeen, an eighteenth, Athens, was apparently included in the confirmation to the settlers.)

"Certified Township No. 18, Athens, which was confirmed to the Connecticut settlers of the Susquehanna Company by the Compensation Act of 1799, was laid out in May, 1786, five miles square 'adjoining the State Line,' by John Jenkins, who began 'on the north line of the Susqa. Purchase, one mile west of the Tioga Branch,' (Chemung River). This survey was made a short time before the present boundary was run, and it is quite apparent from the plot of the township that the 'State Line' referred to was the temporary line laid out across the Susquehanna and Chemung valleys by William Maclay in 1784. This township was covered by Pennsylvania Lottery warrants laid out by Maclay in 1785."

title regular on its face, failed justly. II. In the forum of Equity, the Connecticut settlers without other title than the 'possessio pedis,' prevailed rightly."

AUTHOR'S NOTE—In considering the continuation of the controversy, we are confronted with the gravest task in this history; one that has seemed for years a veritable mountain, lofty and inaccessible. In vain have we sought a companion to assist us, in vain wandered around it, seeking some easy foothold. And now, having at last determined to scale its heights unaided, we pause affrighted. What shall be recorded, what omitted? How present the matter clearly, judicially and impartially, and yet avoid the criticisms of our readers? In this we have not the able guidance as heretofore of Hoyt and Fisher; for, curiously enough, like the Wyoming historians of the past, they did not follow the storm up the river; and made little or no mention of the Half-Share Settlers, the "Wild Yankee League," the excluded townships," or, indeed, of the most important of all, the proposed erection of an independent state (to be related in a later chapter). They seem, too, to be utterly ignorant of the long lawsuit which was the real close of the controversy, and which has been called "the most famous lawsuit ever tried in Pennsylvania, which shook the Commonwealth from centre to circumference."

Wyoming and its many struggles has always so filled the public eye that there has been no room left for consideration of the Tioga Point region. The Trenton Decree has often been said to have practically ended the Pennamite and Yankee controversy. But, when it ended at Wyoming, for Athens and her sister townships it had only just begun; for, as stated by a legislator of 1825, "In the sequel the opposition receded to the township of Athens, lying around Tioga Point." Suit after suit, in local and higher courts, ended in carrying the final controversy into the legislature. Wily politicians revived the quarrel when temporarily stilled, and local politics, county elections, and even State issues were affected for years; legislators finally being elected for the sole purpose of helping the one or the other side. Petitions and special acts were in order from 1819 to 1827. The journals of the house reveal whole sessions given over to heated discussion as to Connecticut and Pennsylvania rights. The final settlement, by a special act granting justice to *both parties*, closed what the newspapers of the day called "a long and painful controversy, which every year was a bill of heavy expense to the State."

The reader will easily see that to scale these heights one should be learned in the law; and will therefore be lenient to our shortcomings.

CHAPTER XIV

THE PERMANENT SETTLEMENT OF THE VALLEY

1783-1787

Pennsylvania Titles Under Province and State—The Coming of the First Settlers—Matthias Hollenback and "Hollenback's Store" Lockhart's Lottery Warrant—The Establishment of the State Line—Effect of the Decree of Trenton—John Franklin—The Half-Share Men or "Wild Yankees"—Cause of the Settlement of Ulster and Athens—The New State Project—The Intercepted Letters—Franklin Imprisoned—The Connecticut Gore

While much more than the cursory glance at the land controversy, as given in the previous chapter, would be required to understand affairs at Wyoming; enough has probably been recorded as an introduction to the history of Tioga Point. If needed for reference, it can easily be found elsewhere. Our readers, however, must have an intelligent idea of Pennsylvania titles, as they differed somewhat from those of other States, indeed, the student of the early history of this region must seek to fathom many mysteries. And to weave all the separate strands into one smooth thread of lucid and chronological history is as difficult as would be the task to a modern woman of converting tow and flax into a smooth thread by means of the old-fashioned flax wheel.

"Under the proprietary government lands were never regularly put in market, nor their sale regulated by law; but they were disposed of to whom, on what terms, in such quantities and such locations as the proprietor or his agent thought best; all the business of the Penn family being conducted according to the old feudal system, the inhabitants being merely tenants, paying quit rents to Penn's heirs, and having little interest in the affairs of the province of Pennsylvania, unless hired or persuaded to assist the proprietary family."

Under the State, the landjobbers and speculators made the greatest confusion; claim upon claim confronts us; chamber surveys,² actual

¹ An interesting bit of Penn ways, relating somewhat to this locality, was found among the Mss. of the American Philosophical Society. John Penn instructed Stewart, Ogden and Jennings to dispose of lands on east branch of the Susquehanna as follows: 100 acres for seven years, leased for one ear of Indian corn per annum. At the end of seven years the settler to have an option on his land if the Penn's wished to sell.

² Some idea of troubles arising from so-called chamber surveys (made on paper without examination of property) may be gleaned from a letter found among papers of the late Judge Herrick, written by a client holding title to land near Wysox. The whole group of letters from father and son were really pitiful.

William Buckley of Philadelphia, to Judge Herrick, 1816. (Buckley was the Pennsylvania claimant.)

"I know not how to reconcile the principles on which the citizens, I was going to say, are robbed of their property, for it seems an established one that it is wrested from them in every shape that advantage can be taken of them. I have pd. Taxes on those lands for many years, also the State purchase money; have obtained Patents, and complied with all the requisitions of the Laws to the best of my Knowledge. How are these things reconcilable on the rules of common equity? And I am now stripped of them by Persons that perhaps never pd. a cent Tax, or the state any consideration. The township or county receive taxes from me for Lands that I am not admitted to possess or dispose of. I am at times ready to exclaim

surveys, deeds poll, titles under the Proprietaries, the new purchase, the State and the Connecticut claim. Settling rights, possessory rights, half-share rights, ejectments, etc. One's brain reels; yet it is consolatory to be told by an able lawyer of the early lawsuits in Bradford County alone, when there were often as many as six overlapping claims, and, as he puts it, "*Cords of wood piled up in the court room*"; for often the claims could only be decided by the blazed tree, and the year of actual survey by the consecutive rings.

The fertile valleys of the upper Susquehanna were early looked upon by greedy eyes of others than the Connecticut settlers, and lands were carelessly disposed of here as elsewhere.

According to some lists in possession of the Historical Society of Pennsylvania, the Penns made some grants of land under the original deed of pre-emption of 1736. One is specially noted of November, 1742, to Jno. Anderson, possibly the "honest Quaker trader," of later date. Other lands on and near "the Sasquahannah" were granted at same date. After the ratification of the pre-emption deed, the Penns advertised that they would receive applications for land on the east side of the Susquehannah in 1765, office to be open June 1, although the first orders of survey seem to have been those of 1769.

Edward Herrick, Jr., thus treats of the early surveys hereabouts (see Craft's "History of Bradford County," p. 271):

"That part of the township of Athens lying east of the Susquehanna river was embraced in the purchase from Indians by Proprietaries, at the Fort Stanwix treaty of 1768. In the year 1773 Charles Stewart,³ deputy surveyor of the State, made surveys and laid warrants for the lands in that purchase. There were three warrants laid in Athens, embracing all the level lands directly east of the village; to wit, Jacob Whetmore of 305½ acres, No. 25; John Stover of 322¼ acres, No. 1790; and David Trisler of 280¾ acres, No. 16. The title to these three warrants subsequently passed into Jos. Wharton of Philadelphia, from whom the settlers derived their title when it became necessary to purchase the Pennsylvania title in order to retain their lands."

So much for Mr. Herrick's research. Access has recently been given the author to a quaint old Indian basket, in which were hidden many bits of history practically undisturbed for fifty years or more. Among the old papers therein was "an order of survey issued to John Lukens, Surveyor-General, by the Proprietarys of Pennsylvania," bearing date 3d April, 1769, No. 25, for "a certain tract of land situate on the South East side of the North East Branch of the Susquehanna, about two miles above the mouth of the Tihogo in Northumberland

O Tempora, O Mores. I prefer compromise to litigation, but, if impossible *I am determined of any Redress to be had*. And I am spared with life I will seek Justice. I want nothing farther." (The above was written on hearing that arbitrators had decided in favor of Connecticut settlers.) In this case there proved to be *no actual survey*, and the chamber survey incorrect, one corner extending thirty rods into the river.

³After the purchase of 1768, which embraced the eastern portion of the State, Charles Stewart was the first deputy, being appointed in March, 1769, for that part of the purchase west of the dividing ridge between the Delaware and Susquehanna. He it was who made the detached surveys in the Wappasening Valley surrounding Nichols before the Revolution.

In some early lawsuits actual survey in this locality was doubted. But the diaries of the Moravian missionaries of Wyalusing and Sheshequin (see Craft note books) tell of the coming of surveyors to Sheshequin May 10, 1769, mentioning Stewart by name, as coming with John Anderson and "three of their surveyors." This party is also mentioned as at Wyoming in some old accounts in collections of Historical Society of Pennsylvania. May 12, 1771, Ettwein again mentions a surveyor at Sheshequin. It has generally been said that the first surveys were made in 1772.

County." While there are several similar orders of survey in the Herick collection in Tioga Point Museum, there are none but this that differ from his description. For while Stover's and Trisler's tracts did pass to Joseph Wharton, it was not so with Whetmore's, or as he signs himself, Jacob Witmore of Lancaster County. There is no evidence that he was ever in this locality; but of his tract, now known as the Ovenshire farm, there is a complete chain of conveyances to the present owner, *all found in the old Indian basket*: first the order of survey of 1769; next a deed to Matthias Slough of Lancaster, consideration £5, date March, 1780. Nothing is known of Slough except that only six days later he deeds the tract to William Patterson of Cumberland County, consideration 5s., lawful money of Pennsylvania. Here we will make a break in the chain to introduce the first settler on this tract.

The first, and often the most disputed point in the history of a locality, is who was the first settler, and what the date of his settlement? While family traditions make history *for the members of that family*, it is for the historian to bring to notice documentary records, always indisputable evidence.

In May, 1783, Captain Simon Spalding⁴ came to settle on the fertile flats now known as Sheshequin, a name originally belonging to the old Indian town "Tschetschequinmink," *west of the river*. These were unusual plains where the Sullivan land forces had encamped in 1779, with Capt. Spalding in command of a company, at which time he resolved to return. He reported the "Indian grass" as high as his head when he sat on horseback. Naturally, this attractive location was covered by Penn grants, to which some of the present owners trace their titles. Some occupants held on a possessory right. But Spalding's companions were all Connecticut settlers, and most of them purchased their titles under the final grant of old Ulster. They were, Joseph Kinney,⁵ Benjamin Cole, Hugh Forseman, Thomas Baldwin,

⁴ Capt. Simon Spalding (militia title, General) was the son of Simon Spalding and Anne Billings of Plainfield, Connecticut; born January 16, 1742; married Ruth Shepard April 15, 1761; died January 24, 1814. His father, Simon, was son of Edward, son of John, son of Edward, who came from England about 1630 and settled at *Braintrim*, Massachusetts. Simon Spalding and wife were early settlers in Wyoming Valley. In 1775 he had a grant from the Susquehanna Company of lands at Standing Stone, on which he lived for a time, but was forced to return to Wyoming by the outbreak of the Revolution. He immediately enlisted in Ransom's company, being made Second Lieutenant; by promotion became Captain of a company, seeing active service at Germantown, Brandywine, Mud Fort and other places; accompanied the Sullivan expedition, and finally served in the First Regiment, Connecticut Line, and continued in service until January 1, 1783, being an unusually brave and faithful soldier. It is said justice has not been done to him as to his service; that the Revolutionary victory at Bound Brook was really due to him, although the honor went to a superior officer. At the time of the Wyoming massacre he commanded the forces that were hastening to the rescue from the main army, when they met the fleeing inhabitants, and knew they were too late. The same year he came to Sheshequin, probably having decided when the army was encamped there that it was preferable to Standing Stone. He was a large man, of imposing and pleasing appearance, very simple in his tastes, and scornful of any pretensions of his neighbors. He had seven children, and like Joseph Kinney, his descendants have helped largely to people the valley. General Spalding was a member of the Connecticut Society of the Cincinnati; represented Luzerne County in the legislature, and was always actively concerned in the welfare of the valley and the State. There is no existing portrait. His sword and desk are in Tioga Point Museum.

Additional information may be found in "Early Times," and in the "Spalding Genealogy."

⁵ Joseph Kinney was born about 1755, of Scotch-Irish parentage, at Enfield, Connecticut. (Have no record of ancestry.) Joined the patriot army when about twenty, was first engaged in battle of Dorchester Heights. At the battle of Long Island, later, was wounded and captured and confined for three months in the old Jersey prison ship; when exchanged, as soon as possible he rejoined the army and was in the battle resulting in surrender of Burgoyne. He emigrated to Wyoming in 1778. In 1781 married Sarah, eldest daughter of Simon

Stephen Fuller and his sons. *This was the first permanent settlement in this valley.* Thomas Parks,⁶ who located at the State Line, is said to have come with this party. According to Joseph Kinney's own deposition some years later, he came in the Fall of 1783, having probably returned for his family. He deposes: "A Mr. Patterson came up with us, and settled below the land in dispute." (Satterlee's and Matthewson's.) Here, then, is noted *the first settler in present Athens Town-*



PATTERSON'S LOCATION

ship, Benjamin Patterson;⁷ and curiously enough his choice was on the land already owned by William Patterson. There was no known relationship or even acquaintance between these men. William was a resident of Cumberland County, where he died this same year, 1783;

Spalding, and came with that family to Sheshequin, where he lived until his death in 1841. At Wyoming he was a school teacher, but engaged in agriculture in his new home, and built the second frame house in the valley. Probably his character is best portrayed in the words of Timothy Pickering, who said he was "a man of superior discernment, of mind improved and still improving; because he is inquisitive, has a taste for reading and a thirst for knowledge." Pickering, therefore, recommended his appointment as Judge of Common Pleas in 1791 under the new constitution. However, Joseph Kinney was very domestic, and refused political positions. He raised ten children, having, therefore, a numerous progeny in the valley, whose talents, experiences and experiments would easily fill a volume.

His eldest son, Simon Kinney, was an able lawyer, and, unlike his father, was one of the most active politicians in the county of his time; a man of strong prejudices but unquestioned ability, who in his later life was identified with the founding of Illinois.

There is no more thrilling story of adventure than that of Simon's son, the dashing Henry Lawrence Kinney, who went out with a colony of Sheshequinites to explore the West; who founded Corpus Christi, Texas; served in the Mexican War, during which he made a fortune, subsequently spent on further expeditions into Central America; became concerned in Mexican rebellions, and was killed at Monterey while engaged in bold deeds. *His life story should be written for the boys of the valley.* In his party was one of the Marshalls of Sheshequin, who pushed on to California, and was supposed to be the same Marshall who first discovered gold there.

⁶ Thomas Park, born 1749, son of Josiah Park of ———, Connecticut, was of English descent. The family were early settlers at Wyoming, and Thomas was very active in the Revolution, and took part in Sullivan's campaign. He made his pitch near the State Line, embraced in Athens grant, and afterwards was obliged to buy Pennsylvania title of Le Ray de Chaumont. He married, in 1782, Abigail, daughter of Abraham Nesbit, one of the original proprietors of old Athens. His father came to Athens Township with him. Thomas Park had nine children, who grew to maturity, most of whose descendants are living in the vicinity. He is called the first settler in Litchfield. He was a brave and worthy man, and became a prosperous farmer.

⁷ Patterson's life and lineage was carefully traced by the well known genealogist, D. W. Patterson, at the request of Edward Herrick, Jr. Born in Connecticut, he later lived at Piermont, New York. He served in the Revolution, and is said to have been in Sullivan's army. Previous to his settlement at Athens he lived for a time at New Lebanon, New York. From Athens he went to Chenango Point, thence to Cincinnati, thence to New Madrid, Missouri, and died in Kentucky about 1845. If not an Indian trader, he surely was a rover. His sister was the grandmother of the late Samuel J. Tilden.

Benjamin was born at Stratford, Connecticut, January 15, 1752, though not ascertained to be a Connecticut settler. He is said to have been an Indian trader. He built his cabin on the river flats of the present Ovenshire farm, opposite the lower end of the island, as shown by the black cross in accompanying picture (taken from the high ground south of present home of Mrs. Celestia Ovenshire). Further evidence of his early settlement is given in the narrative of Elisha Forsythe—printed in the *Owego St. Nicholas* of 1854, p. 389. Forsythe came up the river in 1783 and

"Found at Tioga Point but one white man by the name of Patterson, and no others between that place and Choconut."⁷

Patterson is supposed to have staid only two years, but there is record of his residence in 1788; although in 1785 he sold his possessory right to Robert McElhoe," who held undisputed possession until 1805, when he sold to David Paine, and Paine to Samuel Ovenshire,¹⁰ whose grandson John is the present owner. Samuel Ovenshire obtained a clear title by purchasing also the claim of the heirs of William Patterson. In the allotment of Athens Waterman Baldwin had Patterson's location. This Connecticut right Patterson bought of Baldwin in 1788, perhaps for McElhoe.

In the early Spring of 1784 Jacob Snell and family poled up the river, coming from Stroudsburg. *While there is no corroborative record, it is an undisputed fact that the Snells were the first permanent settlers in the township, the family continuing in the valley to present date.* The journey was made in a canoe, containing the family and their belongings, which included a sheep or two and some poultry. The oldest living descendant gives their first location as a log cabin,

⁸ Elisha was the son of Jonathan Forsythe, who lived below Shawnee, and on account of Pennamite troubles moved up the river in 1783 with Rudolph Fox, who had taken refuge in Wyoming during the war. After staying awhile at Towanda, they poled up the river to Choconut, now Union, New York. Elisha was a boy, but later in life related their story to Judge Avery of Owego, a copy of which is in the Craft Collection in the Tioga Point Museum. On their way up the river, with the exception of Patterson, they saw only Indians. They furnished provisions to Patterson. The Forsythes leased land at Choconut of the Indians, giving seven barrels of corn a year for rent. They seem to have come before Draper or McMaster. Elisha became a carpenter, and built the first ark floated on the upper Susquehanna. He said of this, "Judge Ashbel Welles had seen one, and he chalked it out and explained it to me; it was built for Judge Welles, who ran wheat in it down the river."

⁹ Nothing whatever is known of McElhoe, except from the deeds. That given by him to Paine describes the property as that "which I hold by virtue of a deed from Benjamin Patterson 7. Nov. 1785 who held under Commonwealth as well as in virtue of having actual and legal possession."

¹⁰ Samuel Ovenshire was the son or grandson of William Ovenshire and Nancy Speed, both English people. There is a romantic and probably true story that Nancy was of a wealthy or noble family, and becoming enamored of William (sometimes called O'Turne), whose station was beneath her. Her family objecting, she escaped by a window, and having no means came as a "redemptioneer," that is sold her work or time after arrival to secure her passage. Arriving in Philadelphia, on the same vessel with her lover, after working out her time, they were married by an Episcopal clergyman, the record having been found not many years ago by Edward Herrick, Jr. Eventually they came to Sheshequin. The name William Ovenshire is found in the Hollenback account books of early date, and Widow Ovenshire on the Tioga tax list of 1796. Samuel was born in Sheshequin April 27, 1791. After the fashion of the day, his widowed mother bound him to Col. Franklin. When of age he purchased of McElhoe the farm adjoining Franklin's, and in 1817 he married Sarah, daughter of Stephen Bidlack.

A few years later he built the home now occupied by Mrs. Celestia Morley Ovenshire, the wife of Samuel Ovenshire, Jr. Samuel and Sarah had six children who grew to maturity. Samuel, Jr., had but one son, John Ovenshire, who resides on the homestead farm today. There are many Ovenshire descendants in the valley.

In reality there were four or five claims or titles to this land and adjoining tracts; Witmore, Stover and Trisler's claim passed to Joseph Wharton, yet some years later the patent granted to Leray de Chaumont was for lands overlapping these, on a warrant to Peter Clinton and Andrew Packer, from Stover, Trisler and Whitmore.

not far north of Kingsbery farm above Sheshequin, built probably by some early hunter. The exact date of their permanent location is not known, but its position was west of the Chemung. Jacob Snell had no claim, but, like many pioneers, hoped to acquire one by possession. Jenkins' survey makes no mention of Snell. The first record found is in an old Connecticut deed, *undated*, of a lot south of the present Tyler property, which is described as

"Butting westerly on the shemong or tiogo branch, near to or at a certain place called Snell's foard."

The lot, No. 53, second division, is opposite the Snell's permanent location, which was between the old tannery site and the railroad bridge. Some extracts are here given from the published sketches of Mrs. Jennie F. Snell concerning the family history:

"Jacob Snell was the son of Joseph (Snell Schnell or Cornell) who emigrated from Germany to Lancaster Pa. where he married a French wife, and removed to Easton or vicinity. (No dates given.) Jacob came up the river in a boat with his wife and five children and camped out on the river flats just below the narrows. There were no white families near, they soon built a log cabin."

In the same sketch Mrs. Snell says, "across the river a white man, Andreas Budd, had a cabin." Andreas Budd was a German supposed to have come in 1783, and who remained until 1795. He built the first log house *after Secord's* on the Point. It was on the river bank on the south end of the present Maurice property. It was said he was brought by Matthias Hollenback.

The Snells found a few Indian families on the Point and scattered along the river bank above them, probably Sapoonies or Tuteloes. They

were friendly however, especially the squaws, who were frankly curious as to the belongings of the family, even the clothing. They were very covetous of the cooking utensils, whose use they understood. One squaw in particular frequently borrowed an iron pot, which, with other cumbersome utensils, was kept on a bench outside the cabin. One day she was told it could not be spared, but when a little later Mrs. Snell wished to use it, the kettle was missing. The squaw was rapidly paddling her canoe across the river, but when she saw Mrs. Snell she stood up, with the kettle in her hand, and called gleefully, "Me pottie, me pottie." This clever trick so amused the owner, that, for harmony's sake, the coveted pot was left in the squaw's possession.



Abraham Snell

Abraham Snell, generally known as Major Snell, was born July 5, 1784, *the first white child known to have been born in Athens township.* The accompanying portrait, taken very late in life, seems to be the only one in existence. While their location was across the river, the Snells have generally been called the first settlers at Tioga Point. On the arrival of the Connecticut people Jacob Snell knew his title was in danger, and was about to go to Harrisburg to confirm it, when he died. The location was lot No. 18 in Connecticut township, allotted to Oliver Bigelow, whose claim was sold or transferred to Jacob Snell's heirs. His children were John, Abraham, Jacob, Daniel and Henry; who, with all their descendants, have lived and died in this vicinity. A few years after Jacob's death, his widow married Joseph Spalding and had two children, Simon and Celestia, who have many descendants.

Matthias Hollenback and "Hollenback's Store."

The pioneers at Tioga Point had not the trouble incident to new locations, because of Matthias Hollenback and his store, already established.

Mr. Hollenback was a man of great courage and sagacity; his active Revolutionary service and keen observation had made him familiar with the country, and his boldness had made the Indians admire him. He was, therefore, well prepared for the cross-country trips which gave him the reputation of establishing the route from Wyoming to Niagara; and became adept at dealing with the Indians. His biographer says of him:

"Matthias Hollenback was born Feb. 17, 1752, at or near Jonestown in Lebanon county, Pa., the second son of John Hollenback, whose father George Hollenback came to Philadelphia from Wurtemberg, Germany, about the year 1717, and died on his farm in Montgomery county in 1736. John removed about 1745 to Lebanon (then Lancaster) county, and there reared his family; his wife being Eleanor Jones. It will thus be seen that his son Matthias was of mingled Welsh and German stock. Matthias left his birthplace in 1769, and came to Wyoming Valley to seek his fortune as a settler under the Connecticut claim; his sole outfit being a horse and saddle, and fifty dollars; these with six weeks of country-school education, and that wonderful measure of energy, fortitude and common-sense with which nature had endowed him, constituted the working capital, which during a business life of sixty years he turned to such good account. He at once engaged in trade; and at the outbreak of the Revolutionary War had made substantial progress. In 1776 he was commissioned by Congress an Ensign in one of the independent Wyoming companies raised for home defence; but as these troops were almost immediately ordered to report for duty in the Continental army, Hollenback saw service for eighteen months under Washington in the campaigns of 1776 and 1777. His first engagement seems to have been under Gen. Dickinson at Millstone, N. J., Jan. 20, 1777, where his conduct is said to have been daring and courageous in the extreme. Miner says the Wyoming companies were also at Bound Brook, at Brandywine, at Germantown and Mud Fort: that they fought at Trenton and Princeton seems improbable.

"'When danger to Wyoming became imminent,' says Miner, 'he (Hollenback) returned, not to avoid, but meet danger.' As lieutenant in the company of Capt. Dethick Hewitt, he was one of the little band that marched out to battle and defeat on the 3d of July, 1778. Says Miner (History of Wyoming), 'I have heard several say, who saw him there, and afterwards recognized him in the battle, that a braver soldier never marched out to meet an enemy.' He himself says, 'We engaged the British part of the enemy's army, and as I supposed,

were beating them. The first I knew, the militia on the left broke and gave way * * * I ran back of the smoke which settled down upon us on the right, and discovered our people all in confusion on the left; I informed Capt. Hewitt, and that he must order a retreat, which he did,† * * * and we fled every way all in confusion, to make the best we could to save our lives.' Hollenback's escape was by way of the river, near Monockonock Island. As he was swimming the river, in the edge of evening, many shots were fired at him, but he escaped without injury. Arriving at the Wilkes-Barre fort, he reported the issue of the day, and at once mounted and hastened to meet Capt. Simon Spald-



Matthias Hollenback

ing, who was known to be on the way—too late—to the assistance of the settlers, with the remnant of the Wyoming companies. That officer declining to risk entry into the valley (this was on July 4th), then in possession of a powerful and victorious enemy, Hollenback loaded his horse with supplies, from Spalding's commissariat, and devoted himself to the succor of the fugitives, old men, women and children, who were fleeing through the wilderness, terror-

† Compare this with Miner's pretty account (History of Wyoming, p. 224) of the way in which the Accusing Angel blotted out with a tear the record of this brave Captain's profraternity! The above account is copied directly from a statement in Matthias Hollenback's own hand, dated December 26, 1820.

stricken, bereaved and destitute, in search of safety to the eastward. It may well be believed that his visits were hailed by those whom he thus aided and encouraged, as those of an angel of mercy.

"When affairs at Wyoming had become tranquil, Hollenback again engaged in business, proceeding with redoubled energy to establish that chain of trading-posts which were the pioneers of trade in the valley of the upper Susquehanna. As an illustration of this enterprising spirit, on the conclusion of peace he collected a drove of beef-cattle, and drove them across the state of New York to Niagara, for sale to the British garrison in Canada. So slow were the tidings of peace toward the distant frontier, that he was held a prisoner by the British for some weeks before the official news caused his release, enabling a profitable disposition of his cattle, which were still on the American side. His first trading outposts were those of Newtown and Tioga Point, established in 1783. The great ramifications of his business brought him in touch with the Indians of the Six Nations, so that his attendance was necessary at some of the most important treaties, among them the second of Fort Stanwix in 1784, and that with Oliver Phelps at Buffalo Creek in 1788. Thus he became acquainted with Col. John Butler, Joseph Brant, Red Jacket, and other chiefs; in later years Red Jacket paid him a friendly visit while on his way to Philadelphia for an interview with the 'Great Father.'

"It will be seen that the trading posts at Newtown and Tioga Point were in full action before the laying out of Athens under the Connecticut survey, and before any permanent settlement there by the Connecticut men. (For many years the 'Point' was known far and near as "Hollenback's Store.") In view of these facts, and of the prominence of Hollenback in all its early history, although he never made it a permanent residence, he may well be considered as first among the 'makers of Athens.'

"Judge Hollenback was of the middle stature, and slender build, but with a muscular and vigorous frame, capable of the extremes of exertion and exposure. In all seasons and every kind of weather, he did not spare himself, nor allow his business to suffer from neglect. His earnings were generally invested in real estate; so that at his death he was one of the largest landholders in northeastern Pennsylvania. His first commission in civil life was as Justice of the Peace, signed by Benjamin Franklin, May 11, 1787; and under the state constitution, he was commissioned by Gov. Mifflin as Associate Judge, August 17, 1791: a position which he filled with honor and esteem for thirty-eight years.

"Though never in the least a politician, Judge Hollenback generally acted with the Democratic party; his last vote being cast for President Jackson in November, 1828, but three months before his own death. The ballot was taken from his hands as he sat in his carriage, the election board coming to the door for the purpose; the incident prompting vigorous applause from the bystanders of his own political faith. He died February 18, 1829, aged seventy-seven years and one day."

It has generally been said that the Tioga and Newtown stores were opened in 1783 as trading posts with the Indians, Mr. Hollenback being employed by the Government. The greater part of his books and papers have been preserved and have been carefully examined by the writer, to whom they seem unequaled in minute and careful details, revealing the secret of his success. There is such a mass of material about this one enterprise, that a whole volume might be written on *the first business venture at Tioga Point*; some detail, therefore, seems pardonable. While the books of his main store in Wilkes-Barré run back to 1774, having accounts with Queen Esther, and many entries concerning the outposts, the search was vain for corroboration of the early date for Tioga. But just as we were going to press some small memoranda, in Matthias Hollenback's own hand, on bits of paper, came to light, dated April 17, 1784: "*The amount and weight of venison sent to Wyoming from Tioga Store.*" This is

pretty sure evidence that the store was opened in 1783; and as all the first invoices are of white men's goods, mostly food supplies and tobacco, it seems justifiable to say that Hollenback established this store at the time when William McClay and others were appointed to explore the Susquehanna, fix the boundary line, etc. The names mentioned in the memoranda are Benjamin Cole, Abel Yarrington, Capt. Spalding (Sheshequin, 1783), Samüel Cole, "Rosel Franklin" (Wysox). It is quite possible that the store was also to accommodate the group of settlers at Sheshequin who came in the spring and fall of 1783. The memorandum noted "128 lb. dry venison ham—252 fresh ditto, 125 Corned Ditto, first cost 3d per lb." It is evident that Hollenback was alone in the venture at Tioga, that J. Hageman was his partner at Wyoming and Jacob Weiss at Newtown. The earliest invoice found of goods sent up the river, 24th November, 1783, is labelled "*An account of goods received for Tioga.*" But the first mention of the store is in the orders on Mr. Hollenback's partner in the Wyoming store:

"Newtown June 3 1785 Sir: please to pay to Steaphen Willcocks one pound thirteen shillings & Six pence for 13 Days Boating for the use of Tioga Store & charge the Same to Weiss & Hollenback per order—this is pensylvania money, etc.

"WEISS AND HOLLENBACK."

"To Mr John Hageman"

"Sir pleas to let Mr Jones have one pound twelve Shilling & Six pence for 13 days work in Boating to Tyoga & charge it to weiss & Hollenback—In goods & you'l oblige yours—M—Hollenback Tyoga Decbr. 27th 1785—

"To Mr J. Hageman—Wyoming."

Two other accounts have been found for this year, viz.: "July 23, goods were sent to Tioga 'and a Barrel of flower for frate.'"

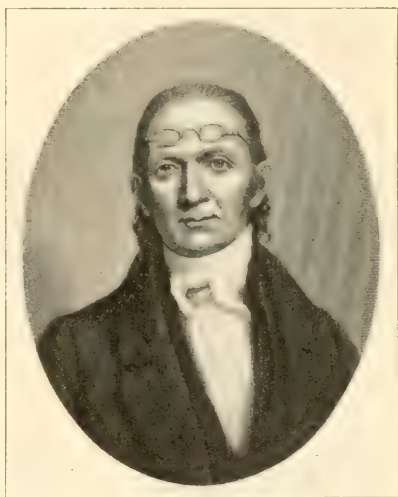
"Decr. 8 1785 Sugar, Salt Pork, Rum, Bread, etc., for the use of the Servants at Tioga."

The goods were "pushed" up the river in canoes or Durham boats, and generally came from the store at Wilkes-Barré, unless, as in case of large consignments, they were conveyed by wagon from Philadelphia to Middletown, and then transferred to the boats. Even when consigned to Newtown, they seem to have been generally unloaded at Tioga Point, the reason for which is not known, but that the Indians from below always landed here on the Susquehanna side, making a portage. Many were the vicissitudes of transportation. The goods were sometimes badly damaged by storms or by the splashing of careless boatmen. The river would suddenly fall or freeze, when at various points they had to be reloaded in wagons or sleighs, as the case might be. Sometimes a much needed small order was brought from Wilkes-Barré by the post rider. But doubtless the most trying journey was made by John Hollenback, who, starting in charge of several sleds, found the roads so icy that it was thought best to take to the frozen river, the sleds in this instance having to be let down the bank with care by tying them to saplings which bent, making the descent safely, but with much anxiety to the young man in charge.

Hollenback's first location at Tioga Point could not have been, as sometimes stated, in a building of Hepburn's or Alexander's, as these men were not at Tioga Point until later. The cabin of Andreas

Budd may have been built or used by Hollenback, but, as has been already shown, he purchased John Secord's location, on which in 1778 were "suitable buildings." As there is no reason to believe these buildings were destroyed by either Hartley or Sullivan, doubtless they were occupied by Matthias Hollenback.

Hollenback's store then probably was always located on the present Hunsiker property, just south of the Museum-Library. And Secord's buildings were quite likely the small house and log stable reported in 1805 to be rotting down and nearly gone. The old well, *still in use*, was said by Mr. Hollenback's family to have been dug before the Revolution, probably by Secord. The correspondence with Lockhart also indicates that Hollenback was established prior to 1785, and either in that or the following year he built the well-known house and store on the northeast corner of the lot, around which clustered the first houses of the settlers. "Hollenback's Store" was long the address on letters; and Mrs. Perkins says, "the town itself was known more by that name than any other." This building, which the builder called "a small tavern," was a two-story structure of hewn logs, facing the north, with greatest length east and west. The store or tavern room occupied the whole south side, a door from Main Street opening into a dividing hall, and a north door into the living rooms. One large chimney in the center, built of rough stone, furnished corner fireplaces for each room. The house seems to have been well furnished by Mr. Hollenback; although, having once established the business, he did not make any continued stay at his trading posts, having a clerk, partner, agent or apprentice as occasion warranted, both here and at Newtown. However, he or some member of his family frequently spent some time at Tioga Point, keeping a watchful eye on the business, and the household goods. So observant was he that even a broken window glass or a missing weight or pair of andirons was at once noted and entered in memoranda. The first clerks at both Tioga Point and Newtown were Daniel McDowell¹¹ and John Shepard¹²; the former probably chosen because of his familiarity with the country and popularity with the Indians



John Shepard

¹¹ Daniel McDowell, later one of the first settlers at Chemung, was the son of John McDowell, said by some to be a Cameronian Scotchman, and by others a Scotch-Irishman, whose home at Stroudsburg was always a veritable haven to the Connecticut settlers in their various flights from Wyoming. Indeed, it is a matter of record that McDowell's love for the

as well as with the Connecticut settlers. Probably the first white customers were the commissioners who were delegated at the treaties of 1784-5 to deal with the Indians (see Chap. X), or William MacLay and his companions, sent to explore the upper Susquehanna, and later to lay out the lottery warrants. It is known that the Boundary Commissioners of 1786-7 made their headquarters at Tioga Point. And it will also be seen later that many Connecticut men were in the vicinity. While it has always been understood that both his stores were started as Indian trading posts, all the first invoices were made up of white men's goods, liquor and salt pork. There is, however, one list of 1784 or 1785 (date illegible) that was probably for the Indians. (See Chap. X.)

Yankees was so well known that they were on one occasion compelled by the Pennamites to choose another route. It seems quite possible that the Snells were friends of the McDowells, and by them directed to their new home; for Daniel was always a warm friend of the Snell family, and stories of his bravery and agility have been handed down by them to present generation, many of which are corroborated by printed records. Daniel early espoused the cause of the colonies, and became a Captain in Revolutionary Army. About 1782, being captured at Shawnee by Indians, he was taken over this route to Niagara. He was particularly impressed with the beauty of the Chemung Valley, then in the glory of autumnal foliage, and resolved, if he were spared, to settle there. He had ample opportunity to observe the scenery, for, according to the story still told by Isaac Snell, and repeated by Thomas Baldwin and others, the inhuman savages fastened him to the ground, near his future home on the ridge above Chemung village, close to a spring not twenty rods from present Erie station. His tormentors placed a forked stick across his neck, and two or three on each arm and leg. This, like running the gauntlet was an experimental torture, which his muscular frame, great agility and superhuman bravery helped him to endure, and led his captors to name him "Keto" (the iron man). He was finally conveyed to Canada, where after being prisoner for some months, he was exchanged for blankets by some white men, set free and worked his way home by Quebec and a sailing vessel for New York.

After testing his bravery, the Indians tried his agility by proposing a foot race from Newtown to *Teaoga* and back, about twenty miles each way. It was bravely run and won! The Indian kept ahead until they came to a foot-log thrown across Cole's Creek. Here fortune favored "Keto." The moccasin thongs of the Indian became loosened, caught on a projecting twig, and threw him into the water. When he came in behind he was muttering, "Me bad luck." Such true tales of the trials, courage and persistence of the pioneers are, indeed, stranger than fiction.

¹² John Shepard, clerk, Indian trader, taverner, miller, merchant and landowner, was one of the most prominent pioneers of the valley, whose descendants are still among us. His life and character are fully pictured in "Early Times," and are already well known. Born in Plainfield, Connecticut, April 17, 1765, he came thence to Sheshequin in 1784 with his uncle, Simon Spalding, and soon after, in his own words, "engaged as Clerk for Weiss and Hollenback in the Indian country at Newtown." After some experimental trading on his own account in the lake country, he returned to Tioga Point and clerked in Hollenback's store in 1787. He twice saved Matthias Hollenback's life when threatened by a wily redskin. In 1788, having accumulated by his industry and enterprise some capital, he purchased the mills of Prince Bryant on Cayuta Creek, afterwards called Shepard's, as was also the little settlement clustered around the mills. He soon became prosperous, as these were the only mills of any size in the valley, and made large purchases of land and improved them. According to the tax list of 1796 he was then the most extensive landowner in the township. He married Anna, daughter of Obadiah Gore of Sheshequin, and built a large house still standing opposite Elm Cottage. Their children were Prentice, who died young; Isaac, who lived and died near his birthplace; Miami, who married Jesse Floyd of Long Island; Amanda, who married Charles Hopkins; Julia Anna, well known as the gifted writer, who married George A. Perkins; Job, who married Abigail Ellsworth, and lived and died in Elm Cottage at Milltown, and Phoebe, who married John Hepburn. Mrs. Anna Shepard died in 1805, and in 1811 he married a second wife, ——— Hawkins of Long Island. Their children were Ruth, who married Dr. A. H. Woodworth; Letty, who died unmarried; John and Joseph, who removed to California, and Mary, who married Silas Fordham, and spent most of her life in her father's second homestead, built near the Susquehanna River in 1817. Isaac P. Shepard, son of Charles H., son of Isaac, son of John, is now the only descendant of the name in this locality.

Some idea of the goods and prices may be obtained from the following lists, copied many years ago from some old account books, then in the possession of the late Harrison Wright:

Retail Price List at Hollenback's Store, 1787-8.

Almanacsper doz.	6/—	1 Heifer	£ 4
" pocket.. ..	3/—	Hose	6/—
Baizeper yd.	2/6	" blue yarn.....	5/6
Black Stroudper yd.	12/—	Hoes	7/6
Gauze	5/—	Indian mealpr bush	4/—
Beef saltper lb.	6 d	Indigo	1/—
Bacon	1/3	Ink pots	4/—
Beaver spearseach	4 d	Irish linenyd	4/—
Breadper loaf	1/6	Jews Harps	6 d
" per lb.	5 d	Labor	2/6
Beansper bush	8/—	" mason	8/—
Bibles	8/—	Lead	1/—
Blankets2 point	12/—	Lin. stripe	3/—
" 2½ "	16/—	Moccasins	3/—
" 3 "	20/—	Muslinper yd	6/6
Bowls pint	21/—	Nails	1/6
Broadclothper yd.	28/—	Needles	6 d
Bull yearling	£ 2	Paper	3/6
Butterper lb	1/—	" per sheet	2 d
Butter tubs	3/6	Potatoesper bush	3/—
Calico frenchper yd	8/—	Pork	4 d
" white sprig.....	7/—	" salt.....	1/—
Caps	2/—	Pen knives	1/6
Chocolateper lb.	3/—	Pipes	3 d
Cheese	1/4	Pins	1/6
Ciderper qt.	1/—	Psalm books	6/—
Cloth superfineyd	32/—	Powder	5/—
" drabper yd.	7/6	Razors	2/—
Corn	3/6	Rum	12/—
Combs	6 d	" per qt	2/—
Copperasper lb	1/3	Russia sheetingyd	4/6
Corduroyper yd	10/—	Salt	28/—
Cotton Stripe	3/—	" per peck	7/—
1 Cow	£ 5	Saw Mill saws.....ea	32/—
Cutteau	1/—	Scissors	1/6
Deer skins dressed.....	24/—	" white	4/—
Drillingper yd.	4/6	" red	4/6
Egg Nogper bowl	2/—	Shad	4 d
" Cider	2/—	Shoes	18/—
Fish hooks	1 d	Shoebuckles	2/6
Flannel redper yd	4/6	Shinglesper M	30/—
Flax Seedper bush	12/—	Shot	2/6
Flintsper doz	1/—	Sickles	5/6
Flourper lb.	5 d	Silk	1/—
Gartersper pr.	1/—	1 Sling	1/3
Gill Glasses	1/3	Snuff	6/—
Grogper bowl	1/3	" bottle	7/—
" & milk.....	1/6	Soap	1/3
Handkerchiefs, silk.....	8/—	Spectacles	4/—
" Barcelona.....ea	8/—	Sow and pigs	£ 2.8
" Silk Romall.....	8/—	Steel	1/4
" Putticat,ea	6/6	Spelling books	3/—
" Cotton	4/6	Sugar	1/—
Hats	5/—	" maple	1/3
Hayper cwt	2/—	" loaf	2/6

Tallow	"	1/—	Deer	ea	2/6	@	7/—
Tape	"	2 d	Fisher				4/—
Tea	"	7/—	Fox black				
Testaments	ea	5/—	" gray				
Thread	per skein	3 d	" red		7/—	@	8/—
Tobacco, plug	per lb.	2/—	Marten				4/—
" leaf	per lb	1/3	Mink		3/—	@	4/—
"	per yd	3 d	Muskrat				1/—
Toddy	per bowl	1/3	Otter		10/—	@	24/—
Tumblers pint	ea	2/—	Panther				8/—
Tea cups & saucers....	per set	4/6	Raccoon		3/—	@	5/—
Tricot	per yd	5/—	Weasel				4/—
Venison	per lb	1	Wild cat		5/—	@	8/—
Whipsaw files	ea	1/3	Wolf				6/—
Whiskey	per gill	6 d					
"	per qt	2/6					
"	per gal	10/—					

FURS & PELTRY.

Bear skins	16/—	@	20/—
Beaver			22/—
"	per lb		12/—
Calf	ea		5/—
Elk	ea		16/—

COIN RATES.

130 Spanish Milled dollars	=	£52
1 Guinea	=	£1. 17. 4
½ Johannes	=	£3. 4

CURRENCY.

8/—	=	\$1.00
£1	=	\$2.50

Many other account books, earlier and later, have since been found. The residents in the region may be known from the following list of customers, residence being added as far as known:

Names from the Books of "Hollenback's Store" at Tioga Point in 1787-8.

Residence, as far as known, added by author, 1906.

John J. Ac Modery	Prince Bryant	Mr. Debartsch
Newtown	Milltown	Elisha Decker
Capt. Allen, Athens	Henry Buck	Athens
Allen & Shepard	Ulster or Buckville	Lucius Dedrick
Benjamin Badlock	William Buck	Lewis Dedrick
Athens	Elijah Buck	Moses Dewitt
Isaac Baldwin	Chemung	John Dolson
Chemung	Jonathan Burwell	Tunis Dolson (mason)
William Baldwin	Athens	Nicholas Depue
Chemung	Henry Bush	Amos Draper
Thomas Baldwin	Thomas Christie	Union or Owego
Chemung	Benjamin Clark	Frederick Eignor
Isaac Benjamin	Ulster	Joseph Elliott
Samuel Beidleman	Benjamin Cole, Sen'r	Wyalusing
Daniel Bates	Daniel Cole	James Fanning
John Bedford	Athens	Springfield
Solomon Bennett	John Cole	Seth Fields
Athens	Sheshequin	John Finch
Abisha Bingham	Theodry Cole	Richard Fitzgerald
Chester Bingham	Nathaniel Cook	Meshoppen
Ulster	Charles Cornales (Cor-	Caleb Forsythe, Union
Hezekiah Bingham	nelius?)	Jonathan Forsythe
Jacob Bowman	Samuel Coe	Union
Sugar Creek	Benjamin Crosby	Rudolph Fox
Benjamin Brink	Sally Crosby	Towanda
Ezekiel Brown	Aaron Dean	Arnold Franklin
Humphrey Brown	Athens	Wyofox

Roswell Franklin	Thomas McClure	Doctor Smith
Wysox	Athens	James Smith
Stephen Fuller	Thos. McClure, Jr.	Gerard Smith
Sheshequin	Athens	William Slocum
Benjamin Gardner	John McClure	Athens
Athens	Newtown	Francis Sneckenberger
Peregrine Gardner	Daniel McDowell	Milltown
Nathaniel Goodspeed	Chemung	Jacob Snell
Avery Gore	Mr. McCady	Athens
Sheshequin	David McCormick	Samuel Southard
Obadiah Gore	Newtown	Newtown
Sheshequin	Col. McKinsty	John Spalding
Thomas Green	Athens	Athens
George Hall	Miss Betsy McCullough	Joseph Spalding
John Handy	James McManus	Athens
Athens	John Manhart	Simon Spalding
Thomas Handy	Josiah Marshall	Sheshequin
Newtown	Ulster	Alexander Stephens
John Harris	Christian Minier	Phineas Stephens
Athens	Ulster	Athens
Samuel Harris	Abraham Miller	Uriah Stephens
Athens or Paint-	John Miller, Esq.	Athens
ed Post	Athens	John Stephens
William Harris	Ag. Moody	Daniel Sullivan
Athens or Paint-	James Moore	Athens
ed Post	Athens	—— Sutton
Isaac Hancock	John Nestler	Mr. Taylor
of Wylouising.	John O'Neal	Joel Thomas
Abner Hatfield	Athens	Athens
James Headley	William Ovenshire	Joseph Thomas
Jacob Herrington	Sheshequin	Joseph Thompson
Athens	Epenetus Owen	Lawrence Tremper
Reuben Herrington	Stephen Parrish	William Tripp
John Hollenback	Benjamin Patterson	Samuel Tubbs
Wilkes-Barré	Athens	Sheshequin
Matthias Hollenback	William Patterson	Joseph Tyler
The Proprietor	John Person	Athens
Silas Hopkins	Mr. Pocksby	Daniel Upson
John House	Jeremiah Potter	Walter Waters, Sen'r
William Jackaway	Henry Provost	Newtown
Athens	Samuel Ransom	Walter Waters
William Jenkins	Tioga	Newtown
Athens	John Redford	James Whitney
Clark Jennings	John Roberts	Chenango
Solomon Jennings	James Roberts	Thomas Wigton
William Jones	William Ross	Meshoppen
Eldad Kellogg	Anthony Rummerfield	Stephen Wilcox
Athens	Elisha Satterlee	Milltown
Abner Kelsey	Athens	Timothy Winchell
Newtown	—— Senter	Jonathan Woodworth
Nathan Kingsley	John Shearer	Samuel Wright
Wyalusing	John Shepard	William Wyncoop
Wareham Kingsley	Athens or Milltown	Athens or Che-
Joseph Kinney	Daniel Shaw	mung
Sheshequin	Jeremiah Shaw	Abel Yerrington (Yar-
Abner Kyer	Adriel Simons	ington) Upper Ul-
Ephraim Lewis	Ulster	ster
Christian Loop	Reuben Smith	John Young.
Newtown		

These are all the names entered on the books of "Hollenback's Store" for any purpose, between February 10, 1787, and August 21, 1788.

The following is an account of some "Discoverers" and their Indian goods, "Discoverers" being a term applied to the men, surveyors or others, sent by land speculators to locate their claims:

"Tioga, Augt. 13th 1788.

"Matthias Hollenback, Elijah Buck & Daniel McDowel,

Dr. to Store, for Sundries delivered the Discoverers, Indians, &c.

To Sundries of powder and lead.....	£.	6.	3.
" " by Snipe Nose	2.	13.	
" " " John		13.	
" " " Jacob		2.	6.
" " " Charles Cornales	1.	13.	
" " " Thomas Green	1.	2.	
" " " Isaac		10.	
" Sutton for pledge of Rifle.....		3.	
" 1 cow killed by Sutton.....	7.	10.	
" 1 Bushel meal		6.	
" by Philip, a Tuscarorah	1.	2.	
" 6 calico shirts at 16/.....	4.	16.	
" Six two-point blankets, at 12/.....	3.	12.	
" cash 8/, 3 lb. plint (flints?) at 6/.....	2.	16.	
" 5 pound of powder, at 6/.....	1.	10.	
" 32 silver broaches 32/, sunds. 1/6.....	1.	13.	6.
" scarlet and linen	1.	10.	6.
" sundries	2.	4.	6.
<hr/>			
	£.40.	0.	0.

It is rather unusual that there is no fire water in this account.

The stock of the store consisted of dry goods, wines and liquors, groceries, books, stationery, iron and leather in bulk, and all sorts of household goods. While some cash in gold, silver and paper was taken, the greater part of the trade was by barter; all kinds of furs, maple sugar, grain, etc., being taken in exchange for goods. When the country became settled, wheat seems to have been the chief medium of exchange, trade being brisk or dull, according to the crop, and price offered. During the winter the wheat crop of the famous Genesee Valley and the Lake country was drawn on sleighs to Newtown, the head of navigation, to be ready to ship on the "spring fresh."

The numerous invoices and inventories show that the earliest settlers purchased far more ready-made goods than has been generally supposed, and that the stock at "Hollenback's Store" was an extensive one, embracing many articles now unknown, especially in cloths and cottons. The pioneers at Tioga Point had no need to dress in home-made linsey-woolseys, etc., for they could purchase calimanco in all colors, cordurett, blue half thicks, buff cassimere, spotted swansdown, green baize, yellow flannel, thicksett, Joan's spinning in all colors, strouds, romals, durants, watered camblet, sarcenett, rattinett, bombasett and fustian; also socks for the men and hose for the children; and shawls for the women, of chintz, muslin and silk in every color; apron tape, cap tape, etc. Other, somewhat unusual, goods were lemon juice by the bottle, brimstone by the barrel, ink powder, black-ball in sticks, hatbands and loopings; bar iron, bar steel, pig lead, and many pounds of *bread*. Coffee was seldom on the lists; chocolate in

large quantities and Bohea tea seeming to be the favorite beverages, unless mention is made of every kind of liquor, even the far-famed Hollenback Madeira wine. These lists explode many old stories of the necessity for home manufacture by the busy housewives. The following price list may be of some interest:

General Wholesale Prices from the Books of Weiss & Hollenback, in 1783-4.

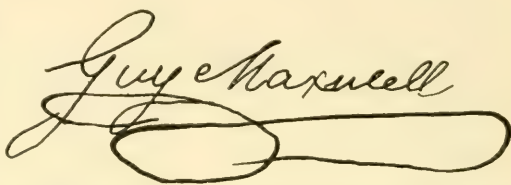
Superfine Cloths, pr. yd.....	18/	to	25/
Irish Linen, do do.....	2/6	@	4/3
Hatts, each	28/	@	32/
Pen Knives, pr. doz.....	15/		
Cutteaus, pr. doz.,	7/6	@	15/
Knee Buckles, pr doz.,	7/	@	12/
Pinchbeck do. pr. doz.,	28/		
Check Handkerchiefs, pr. doz.,	24/	@	27/
Gray Worsted Hose, pr doz.....	56/		
Thread, pr lb.....	3/		
Hooks & Eyes, pr lb.....	2/6		
Chintz, pr piece.....	80/		
Sewing-silk, pr oz.,	4/3		
Milled yarn hose, pr doz.,	36/		
Gray do. do. pr doz.,	30/		
White serge, pr pr yd.....	1/5		
Swanskin, pr yd.....	3/3		
Thick Tricot, pr yd.....	2/8		
Brown Linen, pr yd.....	1/5		
Men's hats, each.....	2/6		
do. shoes, pr pair,	3/6		
Brandy, pr gall.,	4/3		
Salt, pr bush.	1/6		
Tobacco, pr 100 lbs,	55/		
London quality binding, gross,	15/		
Garters, pr gross	18/9		
One-half point Blankets, pair	11/3		
Two point do. pr do	13/9		
Two 1/2 point do pr do	20/		
Three point do pr do	26/3		
Red flannels, pr yd	2/9		
Silk Romalls, pr piece,	96/		
Fine ivory combs, pr doz.,	14/		
Coarse horn do. pr doz	3/		
Common needles, assorted, hundred,	7/6		
Pig lead, pr 100 lbs.,	30/		

Price-List of Indian Goods, Bo't of Turnbull, Marmie & Co By Weiss & Hollenback, 1784-5.

500 Gunflints, at 2/ per hundred			
2 doz Razors, 2/6 pr. doz.			
4 " Enamelled Knives, at 1/6 pr. doz.			
2 " Women's Scissors, " 2/- " "			
47½ doz Silver Broaches.....	at	4/3	pr. doz.
48 " " "	at	4/9	" "
44 " " "	at	5/—	" "
31 " " "	at	4/3	" "
8½ " Ear Rings	at	14/—	" "
13 Ear Wheels	at	1/6	
5 Large Crosses	at	2/3	
8 Double "	at	8/—	
54 doz. Silver Broaches, No. 1.....	at	3/9	

2 Setts Gorgets	at 42/—
3 do. Moons	at 24/—
2 large do.	at 6/—
3 do do.	at 10/—
10 Wrist bands	at 4/—
8 Arm do.	at 10/—
6 do do.	at 8/—
1 doz Dutch Pipes.....	5/—
2 strings Seed Beads.....	at 10d.
1-lb. of 14oz Wampum.....	1/6
4-lbs. 6oz Round do.....	3/9

In 1788 Guy Maxwell¹³ took charge of the store and continued in full charge until 1795, when he embarked in business for himself at Newtown, although for many years



afterward he seems to have had a partial supervision over both the Newtown and Tioga Point business. His immediate predecessor was Aaron Dean, a man about whom absolutely nothing is known. He conducted the store on a credit system and contracted many debts, as shown in the accounts of the period. Some idea of the amount of stock may be obtained from Mr. Hollenback's estimate of the business when Guy Maxwell relinquished it in 1795. In the seven years he had ordered goods to the amount of £7566 and sold to the amount of £6093.

Let us try to imagine the beginnings of the settlement. Except for the ground cleared by Secord, probably from river to river, "Hollenback's Store" was practically in the woods. East of the river, where Patterson had his cabin, the river flats were probably clear. West of the Tioga (Chemung), from the Chemung Narrows to present Milan or farther, extended the open grassy flats known as "Queen Esther's or Hester's Flats." On the upper end of these was Jacob Snell's cabin, and nearly opposite the Point was another cabin, which sheltered many occupants. The Snell's was nearest the wilderness, some of whose wild inhabitants were as plenty and as much to be dreaded as the red men. Andreas Budd doubtless had the only habitation on the Point except Hollenback's store. But there were a goodly number of neighbors by the close of the year 1784. According to the depositions of Franklin and Kinney, "a number of people took up land east of the river"; Christopher Hurlbert, William Miller,¹⁴ Daniel Moore,^{14*} and

¹³ Guy Maxwell (already mentioned in Chapter X) was a Scotch youth, according to his son; parentage unknown.

"Having learned the art of trade, and mystery of a merchant" as an apprentice in Pittsburgh, he was visiting his home in Martinsburgh, Virginia, when Matthias Hollenback went there to visit his relatives in the fall of 1788. Soon a mutual liking sprang up, and the youth of eighteen returned with Mr. Hollenback to Tioga Point, where he lived until 1795. About 1790 he married Nelly, daughter of William Wyncoop, who then lived just across the Tioga River. It is said theirs was the first marriage celebrated at Chemung, a favorite resort for Tioga Point lovers. Thomas Maxwell, son of Guy, was born at Athens in 1792. It is somewhere noted that Guy Maxwell's wife was Eleanor Von Steinberg, but that is a perfectly unfamiliar name in the vicinity, and must be an error.

Mr. Craft says that Guy was born in Ireland, July 15, 1770.

He was made a justice of the peace September 1, 1791, a youthful official, but highly esteemed, as shown in the trust reposed in him by Pickering (see Chapter X).

¹⁴ Very little definite information is at hand about William Miller. He is generally said to be German by descent; known to have resided at Wyoming, and to have been an Indian

a few months later Mason, Carey and Eldad Kellogg. None of these had a title, but hoped to acquire one by possession. Hurlbut was a surveyor from Wyoming Valley, to which he returned. He and Miller were located on the flats very near Patterson. Miller and Moore each built a house, according to the depositions; but as these became somewhat confused under cross-examination, it seems best to rely on Z. F. Walker, who had access to all the early surveys. He states that "Miller was located opposite the head of the island, Patterson opposite the lower end, and Moore just below, where for some years he maintained the ferry" in the bend of the river, about half a mile below the island. Moore's ferry was later known as "Park's Ferry." While there is only casual mention of these pioneers, there is reason to believe that Hurlbert, Miller, Moore, Kellogg (and some others mentioned in Jenkins' survey) were the advance guard of the Connecticut settlers, who, as will be seen later, wished to have a strong settlement near the York state line. It will be observed that the locations chosen *were not contiguous*, but such as to command the land and the river, so that, like the Indians of a previous epoch, they could waylay travelers by land or water, and prevent the coming of the enemy, who in this instance was the hated Pennamite. Their locations also could be recognized as pitches to be included in a new township, which was done when Athens was granted.

In November, 1779, the Assembly of Pennsylvania passed a law, assuming to itself jurisdiction over the entire territory granted to William Penn; feudalism was no more. Henceforth it was the *State*, and not the *Province* or *Proprietaries*. April 9, 1781, a law was enacted to establish a land office, for the purpose of perfecting the titles of those to whom grants had already been made, and July 1, 1784, another law was made, opening a land office for the sale of vacant lands under Penn's purchase of 1768. The price was fixed at ten pounds per 100 acres, or 33 $\frac{1}{3}$ cents per acre; quantity limited to 400 acres, with 6 per cent. allowance for roads and creeks.

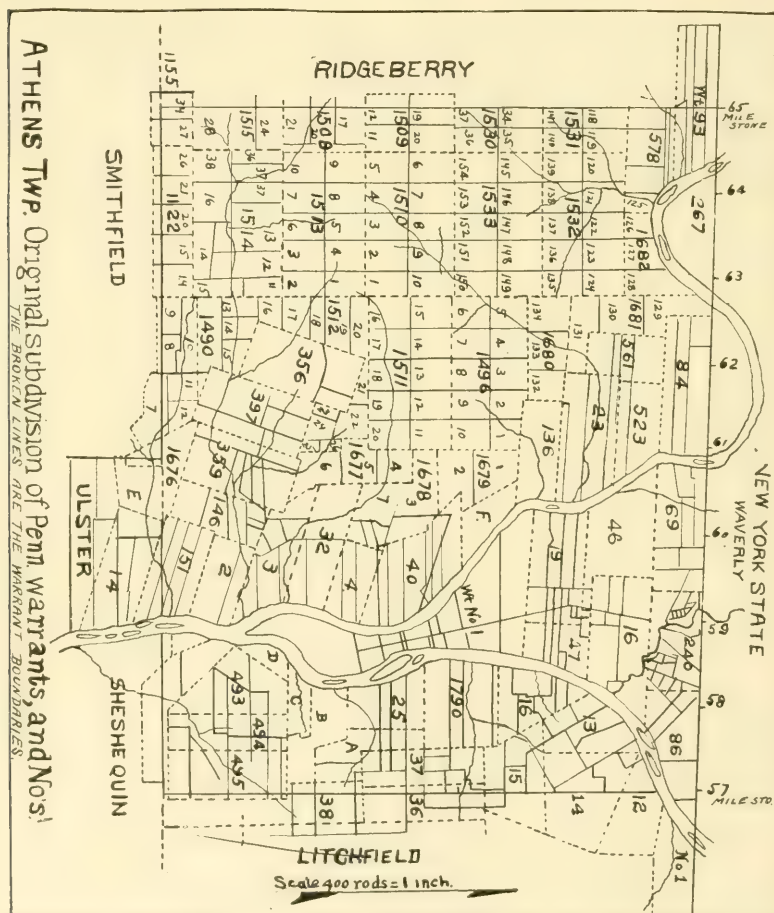
The purchase in 1784 of Pennsylvania from the Indians having been confirmed by treaty at Fort McIntosh, in January, 1785, a land office for sale of lands in the "new purchase" was soon opened; terms, thirty pounds per hundred acres, and warrants allowed to contain ten per cent. overplus, besides the six per cent. allowances. A number of men formed an association for the purchase of 63,000 acres, a considerable part of which was in Bradford County and Athens Township. It covered the land *west* of the Susquehanna River, *north* of

trader along the river. Judge Herrick, being interviewed by his grandson in 1866, gave the following information: "Col. Johnson of Philadelphia, was the Pennsylvania warrantee of Sharp Delaney (lottery warrant No. 84). William Miller was his tenant. He had four sons (names of two not recollected). Johnson oldest, John next, ———; also two daughters, one of whom married Samuel Hepburn. John lived and merchandized in Athens Borough; he died, his widow sold property now Chester Stephens and married Alphonso C. Stuart, attorney of Athens and Towanda. John died 9 Feb. 1812 at 32 years 9 mos. and is buried in the old graveyard. William is buried on the farm now owned by Hiram Phelps. The Miller family went west." From other sources William Miller is reported as an Indian trader at Newtown. His wife's name is not known. The daughters were Edith and Margaret, the latter the wife of David Alexander.

^{14*} Daniel Moore was an Irishman who came to America as a soldier in the British army, which service he seems to have deserted. He moved farther back in the township, where he died about 1830, leaving a number of descendants in the valley.

Towanda Creek, and south of the State line. "The price was placed so high that few ventured into the hilly part of Northern Pennsylvania." "Under the pressure of certain landjobbers, *i. e.*, John Nicholson, Robert Morris, William Bingham and others, an act was passed later on, reducing the price to 6 $\frac{3}{4}$ cents per acre. Speculation then ran wild, fictitious applications and poll deeds were freely used, and within a year or two all the lands in Bradford County had been applied for."

April 3, 1792, an act was passed opening a land office for pre-emption sale of the balance of the lands in the new purchase of 1784, at the price of 6 $\frac{3}{4}$ cents per acre in 1,000 acre warrants, with 10 per cent. overplus, and six per cent. allowance for roads and creeks. A map of Athens Township, and explanatory list, *invaluable* for comprehension of Pennsylvania titles by warrant and patent, is here given, the work of the late Zephon F. Walker, with his own words of introduction.



"The following is a statement of those tracts of land (in Athens Township) that were pre-empted in 1784 and warrants issued under the Indian purchase of 1768, and the lottery warrant issues of 1785, and new purchase issue of 1792."

Nos.	Acres	Per-ches	Warrantee Names	Warrant Date	When Sur-veyed	When Pat-ented	To Whom Patented	Locality
SURVEYS EAST OF RIVERS ON ORDERS OF 1769								
D 63	107		Christian Straley	Apr., 1769	Oct., 1773			Northrup flats
25 305½			Jacob Whitmore	" "	" "	Jan., 1840	Samuel Ovenshire	Franklin flats
1790 322½			John Stoner	" "	" "	Aug., 1781	Joseph Wharton	Satterlee flats
16 280½			David Trisler	" "	" "	Aug., 1781	Joseph Wharton	" "
LOTTERY WARRANTS								
1 1038	94		Josiah Lockhart	May, 1785	June, 1785	April, 1786	Josiah Lockhart	Tioga Point
2 301½			George Latimore	" "	" "	July, 1812	Erastus Loomis	Queen Esther
3 357			Edward Price	" "	" "	" "	" "	Greens landing
4 262	96		Geo. and Sam'l Fox	" "	" "	Dec., 1789	Geo. and Sam'l Fox	Murray farm
16 614	55		Tho. Pickering & Co.	" "	July, 1785	" "	Tho. Pickering	Sayre Borough
19 501			Nicholas Keister	" "	July, 1785	Feb., 1792	Arthur Erwin	Between Rivers
23 550			Arthur Erwin	" "	June, 1785	Feb., 1792	Arthur Erwin	West of Rivers
32 431			T. Pickering & Co.	" "	June, 1785	" "	T. Pickering	" "
40 503	12		Daniel Brith	" "	July, 1785	" "	" "	" "
46 352	159		Joseph Erwin	" "	July, 1785	Oct., 1789	Arthur Erwin	Between the Rivers
47 250	108		Arthur Erwin	" "	July, 1785	Feb., 1792	Arthur Erwin	" "
69 500	17		John Parrott	" "	Sept., 1786	May, 1788	John Parrott	South Waverly
84 547	14		Sharp Delaney	" "	Oct., 1786	April, 1788	Johnson, McClay & Keene	West of Rivers
86 500½			Elestor Parrott	" "	Sept., 1786	" "	" "	Milltown
93 500			Bartholomew & Patton	" "	Oct., 1786	Nov., 1791	Edward Bartholomew	West of Rivers
136 264			Arthur Erwin	" "	July, 1785	Feb., 1792	Arthur Erwin	" "
146 301			Jacob Weiss, Jr.	" "	Aug., 1785	" "	" "	" "
151 401			William Young	" "	Oct., 1785	" "	" "	" "
240 384½			William Harper	" "	Oct., 1785	Dec., 1831	Jno. Reddington	" "
267 341	19		John Davis	" "	Sept., 1786	" "	" "	Sayre Borough
356 505	48		Joseph Erwin	" "	Oct., 1786	" "	" "	Chemung Bend
359 502	140		Nicholas Keister	" "	Aug., 1785	Feb., 1792	Arthur Erwin	West of Rivers
397 501	108		Arthur Erwin	" "	Aug., 1785	Feb., 1792	Arthur Erwin	" "
523 225			Arthur Erwin	" "	July, 1785	Feb., 1792	Arthur Erwin	" "
561 256	141		Arthur Erwin	" "	Aug., 1785	Feb., 1792	Arthur Erwin	" "
578 275	79		Arthur Erwin	" "	Oct., 1785	Feb., 1792	Arthur Erwin	Willawana

		NEW	PURCHASE CARR	OLL TRACT		West of Rivers
1490	959	Charles Carroll	July, 1792	Dec., 1792		" "
1496	970 ¹	" "	" "	" "		" "
1508	990	" "	" "	" "		" "
1509	990	" "	" "	" "		" "
1510	990	" "	" "	" "		" "
1511	990	" "	" "	" "		" "
1512	938 ¹	" "	" "	" "		" "
1513	990	" "	" "	" "		" "
1514	990	" "	" "	" "		" "
1515	990	" "	" "	" "		" "
1122	1100	Charles Willing	BINGHAM TRACT			West of Rivers
			April, 1792	Nov., 1792		
1676	370	McEuen	EN, HALE, & DAVIDSON TRACT			West of Rivers
1677	328 ³	Josiah Hewes & Myers Fisher	Aug., 1792	Dec., 1792	McEuen, Hale & Davidson	" "
1678	329 ¹	Hewes & Fisher	" "	" "	" "	" "
1679	314 ³	" "	" "	" "	Tho. McEuen	" "
1680	315	" "	" "	" "	Wm. Davidson, Tho. Hale	" "
1681	316 ³	" "	" "	" "	McEuen, Hale & Davidson	" "
1682	363 ³	" "	" "	" "	" "	Wilawana
1530	990	James Wilson	" "	" "	" "	" "
1531	990	" "	" "	" "	" "	" "
1532	990	" "	" "	" "	" "	" "
1533	990	" "	" "	" "	" "	" "
13	356 ¹	Paul Clinton	LE RAY TRACT			East of River
14	414 ¹	Joseph Clinton	Feb., 1793	Oct., 1794		" "
15	411	Peter Clinton	" "	" "		" "
36	405	Joseph Hagerman	" "	" "		" "
37	304	Andrew Pecker	" "	" "		" "
483	404	Joseph Duncan	ASYLUM COMPANY TRACT			East of River
494	422	Peter Yarrington	Sept., 1793	Mar., 1794	Abram Whitmore	" "
495	422	John Tripp	" "	" "	" "	" "
			" "	" "	1794	" "
			" "	" "	1794	" "
C	103	G. S. Patterson	VA CANT LAND			East of Rivers
B	296	Silas W. Park	Nov., 1850	May, 1851	G. S. Patterson	" "
A	283	Samuel Owenshire	Jan., 1840	Jan., 1840	Silas W. Park	" "
F	378	Daniel McDuffee	Feb., 1815	Mar., 1815	Sam'l Owenshire	West of Rivers
E	400	Elijah Buck	Aug., 1812	Dec., 1812	Dan'l McDuffee	" "
					Elijah Buck	" "

Unfortunately, Mr. Walker appended no explanatory note, and space forbids a full history of the great land tracts hereabouts and their owners. The first and third lists in Mr. Walker's table are explained in this chapter. Some attention will be given later to the tract of Charles Carroll of Carrollton, which embraced parts of Ridgeberry, Ulster, Athens, Burlington and Franklin.

The Bingham lands embraced altogether about 60,000 acres in Wells, Columbia, Smithfield, Springfield, South Creek, Ridgeberry, Ulster and Athens townships. William Bingham was a wealthy Philadelphian, whose whole purchase was 1,000,000 acres in Pennsylvania. McEuen, Hale and Davidson were true Pennsylvania landjobbers. The Leray tract embraced Litchfield, Windham, Rome, Sheshequin and Athens east of the rivers. A copy of the original deed in the Craft Collection (date 1797) shows that in consideration of £27,000 Robert Morris conveyed to James Donatianus Le Ray de Chaumont¹⁵ (a French citizen of America) 80,830 acres of land between the Rivers Susquehanna and Delaware, 53,000 of which were in Luzerne County. It is said that this land was granted to Robert Morris in payment of money borrowed in Europe by Morris to carry on the war of the Revolution, but there is no corroborative evidence as with the Holland lands. Joseph Kingsbery,^{15*} of Sheshequin, became the agent for Le

¹⁵ Donatien Le Ray de Chaumont, father of James, was a Frenchman with whom Benjamin Franklin lodged at Passy, near Paris. They became warm friends, and that de Chaumont continued a friend to America is proven by subsequent events.

^{15*} Joseph Kingsbery came from Enfield, Connecticut, to Sheshequin April 29, 1796. According to his own records, he was a surveyor and at once engaged in that occupation. He soon married Anna, daughter of Simon Spalding, at whose death he became the owner of the Spalding homestead, which has been occupied by his descendants until a very recent date. He became a prominent citizen of the region, and his letters on religion, politics, business, etc., show a remarkably versatile mind, eager to gain new information from important sources.

In a letter of Silas Deane to Robert Morris, dated October, 1777, at Paris, he intimates that de Chaumont was a friendly French merchant who was shipping powder to Morris via Martinique, and Deane adds "Mr. de C. is a capital man in this Kingdom, well respected by the Ministry and a warm friend to America." In March, 1788, "M. de Chaumont's best compliments to Mr. G—— he wishes to know the direction of the gentleman who owns now the lands of Joseph Wharton. If Mr. G—— has altered his mind upon his demand for this tract, it is important he let it be known as M. de C. (son of Donatien) is going to N. York where he is to dispose in one manner or another of the money which is entrusted to him to be employed in land before the departure of the packet." This indicates that it was foreign capital, *not his own*, that was invested by de Chaumont. It has been generally supposed that James D. Le Ray de C. did not live in America, but there are plenty of letters in existence to prove that he did, although he often returned to Europe for long intervals, leaving affairs in the hands of his son Vincent, a haughty, overbearing man, who resided in LeRaysville, Jefferson County, New York. He seems to have appointed Kingsbery agent during one of his father's long absences. Very much of this land in the neighborhood of Athens had already been settled under Connecticut title. Both the de Chaumonts visited their lands in this valley. Sometimes they were obliged to cross the water to show title deeds, etc., to their purchasers. Large sums of money were borrowed on these lands, much of it from Gouverneur Morris, to whom a mortgage was given, and in 1815-16 there are many letters from him that show a keener insight than the de Chaumonts. C. F. Welles, Sr., at one time made a proposition to purchase, but was told that Nicholas Biddle was to become proprietor of a part; and in 1821 Kingsbery was notified that the elder de Chaumont was seeking a purchaser for the whole, regret being expressed at the probable cessation of intercourse; but Kingsbery being asked to procure settlers from New England for the New York lands. Apparently Biddle, on examination, was not satisfied with the so-called "Le Ray" title, and in 1822 possession and management was once more vested in the elder de Chaumont; but that very same year he seems to have sold a large part of it, and gave a trust deed to his son for the rest; and Kingsbery's agency doubtless ceased for awhile. At least there are no explanatory letters until ten or fifteen years later, when a letter from B. T. Case of Montrose, to Almon H. Read says, "It is no easy matter to fully elucidate the subject of the Le

Ray about 1811. His papers have long been said to have been destroyed. But many have recently been found by Hon. O. D. Kinney, from which a sketch is given in note appended. While some of the tracts on Mr. Walker's list were purchased at a much later date than others, they are all included in the one table. For information about the Asylum Company Tract the reader is referred to "Azilum," by L. W. Murray, published 1903.

According to the Act of 1784, the first choice of lands on the flats and river bottoms was disposed of by lottery to such applicants as had enrolled their names in the land office. The drawing was at Lancaster, May 1, 1785; the names of the 705 applicants were placed in a wheel, and the man whose name was first drawn was entitled to the first choice, and so on. The money obtained from the sales (\$42,000) was to be applied to improving the public roads from Philadelphia to the western part of the State, and to improving navigation in the Schuylkill River. Josiah Lockhart,¹⁶ a merchant of Lancaster, was the lucky man, and Tioga Point his choice, lottery warrant No. 1.

It would be interesting to know why he chose this particular tract, to which he gave the most appropriate name of "Indian Arrow," the first English name applied to Te-a-o-ga.

As the title to most of the land in the present Borough of Athens is derived from this warrant, the original document is here reproduced (see insert). It was obtained by the late Edward Herrick, Jr., from the papers of Gen. Henry Welles at the Stone House, and is now in possession of the Herrick heirs. It should be framed and hung in Tioga Point Museum for all generations to see. Though *a copy of this warrant* was long ago in print, *the survey* made in accordance with it a month later, *antedating the Connecticut survey by a year*, has never been reproduced or even alluded to heretofore; whether inadvertently or by reason of Connecticut prejudice, is not known. The original is still in existence in the Department of Internal Affairs at Harrisburg, and the accompanying cut is a fac-simile made expressly for this book.

Ray lands. They were sold in 1833 in New York City under a decree of the chancellor of the state for the payment of divers debts owing by the Le Rays in France and Belgium." He then goes on to prove that the title has never left the Commonwealth, because a great fraud had been perpetrated (explanation here unnecessary).

Count Alexander de la Rochefoucauld bought some of the tract close to Athens, but never completed payment.

Kingsbery had 2½ per cent. for every "actual settler." There was much trouble about the title, and much complaint of fraud. Pierre Joseph De Caters of Antwerp, Belgium, was one of the purchasers of 1833, and the paper is still in existence, dated 1834, granting power of attorney to Col. Kingsbery to sell these lands and see that contracts were completed. The whole group of letters to and from Kingsbery are full of interest, especially those of the celebrated Gouverneur Morris, who discussed not only the business in hand, but every topic of the times in a masterly fashion.

¹⁶ Careful research reveals little about Josiah Lockhart. He was long a resident and shopkeeper of Lancaster, wealthy and eccentric. The impression has been that he was German, but his will mentions a brother in Ireland, and a brother Robert of Virginia, making his nationality doubtful. His wife was the daughter of William McClure of Franklin County, Pennsylvania; his only child was a son. The exact date of his birth or death are not known. His will was proven in Lancaster in 1808. He was a merchant of some repute, and sold goods to M. Hollenback and John Harris of Tioga Point in 1785.

Mrs. Perkins, in "Early Times," speaks of an old map that was evidently Maclay's survey of *all* the warrants. The reproduction is so small, the inscription is here printed:

"The Draught of a Tract of Land called ——— situate in the Point between Susquehannah and Tioga in District No. 10 in Northumberland County Containing one Thousand thirty eight Acres Ninety four Perches with usual allowance for Roads, Surveyd June 27th Anno Dom 1785, in pursuance of the Warrt. No. 1 Dated at Philadelphia 17th Day of May Anno Dom 1785 to Josiah Lockart.

"Wm. Maclay D. S."

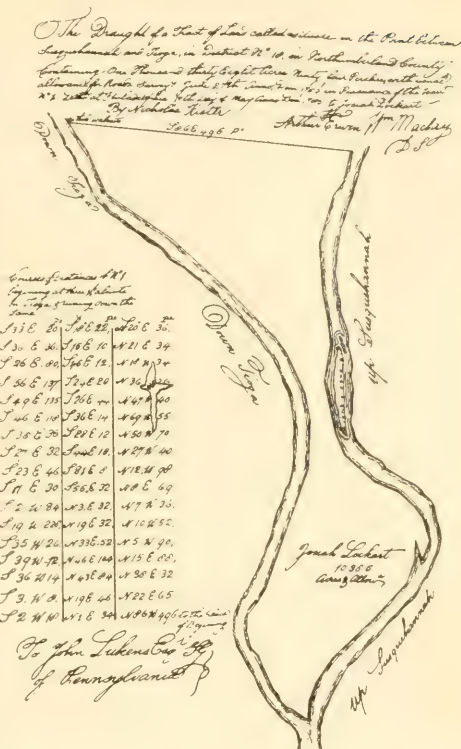
Lockhart paid for his choice twelve pounds and three shillings, a mere pittance. A glance at the Walker map will show that many more of these lottery warrants were laid in Athens township. William Maclay, Deputy Surveyor, was dispatched to survey and plot out these warrants.

No actual survey of state line had been made up to this time. King Charles had designated the boundary of Penn's grant as on parallel of 42°; the initial point thereof was fixed in 1774, and at this time Maclay was authorized to locate a more definite line, which was to form the north line of the warrants, as related in the following pages. It may here be observed that, as nearly as can be ascertained, Colonel Arthur Erwin, an account of whom will be given later, was the only holder of lottery warrants who came upon the ground.

Establishment of New York and Pennsylvania Boundary.

So much of the early history of both Pennsylvania and Connecticut claims at Tioga Point is connected with the various lines run between Pennsylvania and New York, that it seems best here to give the matter some attention. The source of information is the "Report of the Regents' Boundary Commission," published by the State of New York in 1886. The charter of Charles II to William Penn in 1680 described the northern boundary of the grant as on the parallel of 42°; this has never been disputed. As early as 1751 it seemed desirable to settle the boundary between the provinces; and Governor Clinton made an appeal to the Lords of Trade, enclosing a letter from the Lieut. Governor of Pennsylvania, mentioning the "lycence" granted to Col. William Johnson and Company; the company were the Sparkell family, who had already created much disturbance concerning the line between New York and New Jersey. Both parties were anxious to have the Pennsylvania line definitely fixed; and the more so after the organization of the Susquehanna Company in 1754.

Governor Hoyt, in his "Syllabus of the Controversy between Connecticut and Pennsylvania," says (page 40):



"Perhaps it was not altogether ignorance of bounds that moved our worthy predecessors. In the course suggested to 'get rid' of the deed of 1754 to the Susquehanna Company, under date of July 2, 1755, Thomas Penn writes to Governor Morris, 'When a purchase (from the Indians) is made, I would not have it in words too particular, but to extend the Northern Boundary of Pennsylvania without any mention of a Degree. * * I had rather avoid making the Government of New York privy to it, as they expect we shall confine our purchase to the forty-second degree, whereas we shall certainly expect three degrees.'" This, of course, means to include the 43d degree, as was proven by later treaties giving the boundary line as running through "Oswegy"—really Owego, or present Owego—which was accepted as the northern limit of Penn's province. Owego, "by the distorted representation of the geography of the country," was erroneously placed about where Tioga Point is located; therefore the Johnsons and many others believed it to be below the 42d parallel; while some old maps indicate that the Penns proposed to include the Susquehanna River from its source. A line drawn east from Owego would strike the Delaware a long distance above the point at which the line north to the Susquehanna leaves it, and would have left the Indian villages of Chenango, Chughnut and Ouaquaga in the possession of the whites, thus defeating the object of the detour to the Delaware. Upon Guy Johnson's map annexed to the Rev. Charles Inglis' Memorial concerning the Iroquois in 1771 (New York Documentary History, IV, 661), "Owego" is more correctly located, and the Indian boundary is shown by a diagonal line drawn southeasterly from that point to the present Initial Point.

"In the Indian deed to the Penns, signed at Fort Stanwix, the same day that the deed defining the general boundary-line between the Indians and the Colonists was signed, the grant to Thomas and Richard Penn covered 'all that part of the Province of Pennsylvania not heretofore purchased of the Indians, within the said general boundary line, and beginning with the said boundary line, on the east side of the east branch of the river Susquehannah, at a place called Owego, and running with the said boundary line down the said branch * * * then up the said river Delaware on the west side thereof to the intersection of it by an east line to be drawn from Owego aforesaid to the said river Delaware, then with that east line to the beginning at Owego aforesaid.' Sir William Johnson and the New York commissioners present would not have consented to this grant had they an idea that 'Owego' was north of the beginning of the forty-third degree."

In 1774 the Proprietaries petitioned the King to have the boundaries marked and fixed. By the advice of his Majesty's Council, Lieut. Governor Colden of New York appointed Samuel Holland, and the Governor of Pennsylvania appointed David Rittenhouse, as commissioners for this purpose; the latter was one of the ablest astronomers and mathematicians of his time. They fixed the Initial Point of the boundary at Hale's Eddy, on the Delaware River. The weather was severe, and the danger and fatigue so great that they abandoned the work, having marked only the intersection of the forty-second parallel with the Delaware. A temporary "line of cession" was run by R. L. Hooper, in 1774 or 1775, from the mouth of Owego Creek; while laying out British Military Land Warrants in New York, in present Broome and Chemung Counties, extending to the location of Waverly.

The matter now rested until after the Revolution; when, the Commonwealth having extinguished the Indian title, thought it desirable that the northern limit should be settled. Commissioners were appointed in 1783 to explore the Susquehanna, fix the line, etc. Deputy Surveyor William Maclay was one of these; and the Boundary Report says that in 1784 or 1785 he ran a line which he designated "the Temporary line of the State," across the Susquehanna valley and Chemung flats, from one-half to five-eighths of a mile south of the present boundary, forming the north line of the tract of Northumberland Lottery Warrants laid out by him in 1785. Farther west, near milestone 90, he ran another "temporary line" as warrant boundary; possibly one continuous line. Maclay also ran a line east of the Susquehanna; but this was never used as a base-line for warrant surveys.

Early in 1783 both States appointed commissioners to run and mark the line permanently. The work began in the summer of 1786. Astronomical observations were made every twenty miles between the Initial Point on the Delaware River and Lake Erie; and the line between was run by compass. As proven later, these methods were very uncertain. However, ninety miles were completed in that year, "from the Delaware to the western side of the south branch of the Tioga, and marked with substantial mile-stones." Alpheus Harris and Zephon Flower were surveyors in this party. Besides the milestones, Latitude Stones were set: the third was on the left bank of the Chemung or Tioga River, west of the village of Waverly; probably near Tozer's Bridge. It was inscribed, "60m. 69 ch: Var. 1° 50m."

Here it seems the author may assume to differ from the Regents' Report, for in 1896, when looking up relics of pioneer history, just at locality indicated, the old stone was found in use as a doorstep. It is now in Tioga Point Museum and is inscribed: "Penna A Latitude 42° Vai 1° 50'—1786."

In 1787 the commissioners completed their work. No field notes or diaries, or the survey itself, have ever been found; all information having been derived from their reports and letters. The boundary thus established was formally confirmed in 1789. Many of the milestones were of the rudest character, and it is supposed that some were only posts. In the course of years a large number disappeared; but it was not until 1875 that any attempt was made to replace them. Action was then taken which resulted in the appointment of a joint commission and skilled surveyors to examine and re-establish the line. The monument of 1774 marking the Initial Point had entirely disappeared; a source of much difficulty. However, an arrangement was made with the Superintendent of the United States Coast Survey, by which four points upon the parallel of 42° were established with all the accuracy known to modern science. As the work proceeded, many inaccuracies were found in the line of 1786-7; the greatest variation being nearly 1,000 feet; although it was utterly impossible to decide whether and where the line had been tampered with to suit the convenience of settlers. After much deliberation, both States decided to set the new monuments on the line of 1787, as too long a time had elapsed to make it practicable to correct the former errors. Therefore, substantial monuments were erected at every mile, although hardly one of them is really on the 42d parallel. In connection with this work of 1877, the late Z. F. Walker is given honorable mention in the Boundary Report. It seems now strange that after so much effort at accuracy, the actual line was not marked, but the New York State appropriation was exhausted, and Pennsylvania was unwilling to defray the extra expense of \$10,000.

Matthias Hollenback, being a man of affairs, of course knew of the lottery warrants. Doubtless he had made some sort of a contract with Secord, and as has already been recorded, he quickly made payment, June 6, of £100 "for a certain tract of land called Tioga Point." The description suggests Hollenback was buying more than the seven acres.

According to the affidavits (given in Chapter VII) it was only twelve days after the survey that witnesses were before Commissioner Maclay, testifying that Hollenback's location was on the ground which Secord had improved and occupied prior to 1780, claiming a title whose source is unknown, probably only possessory right. Secord's conveyance to Hollenback was "Proven before Wm. Maclay, Esq., July 25, 1785." Secord was at Tioga Point for this transaction, which combined with the affidavits of the previous month established Hollenback's claim, the existence and validity of which was evidently proven by Maclay, on his return to Lancaster, to Lockhart's satisfaction, as

shown in his quaint letter here reproduced.¹⁷ The marvellous twist given to the points of compass suggest that Lockhart had not been on the ground or was no map maker.

July 27th 1785 Dr Sir the four corner lotts
is engaged on y^e Maine Street & fros from
the Tiogo to y^e North Branch one for Daniel
M^r. Dowall one for John Harrise one for
M^r. W. Playes son & one for Matthew -
Hollowback & y^e serv^t Josiah Lockhart
toward
To M^r. Mathews & Hollenback &
John Harrise

If Gentlemen of any Gentlemen
makes Application for Lotts as
they are laides out they Will
be Subject to twenty Shill^s
p^r Year of Duties Rents and
that I will Give them a good
title for Ever for any Lott Lotts
as is laid out by the Surveacer
according as this Plan Will
be sett forth to the publick
& to be subject to all regulations
as the State of p^r me Josiah Lockhart
Pennsylvania

¹⁷ The original of this old document has been presented to the Tioga Point Museum and will doubtless be of great interest. As the writing is somewhat indecipherable, it is here printed: "July 27, 1785. Dr. Sir, the four Corner-lotts is engaged on the Maine Street across from the Tiogo to the North Branch, one for Daniel McDowell one for John Harrise one for Mr McClayes son & one for Matthew Hollonback, etc. ye servant Josiah Lockhart. "To Mr Matthew Hollenback & John Harrise."

"P. S. Gentlemen, if any gentlemen makes application for lotts as they are laid out, they will be subject to twenty shillings per year of quit rents and that I will give them a good title forever for any such lotts as is laid out by the surveyor according as the plan will be set forth to the public & to be subject to all regulations as the state of Pennsylvania pr me.

"JOSIAH LOCKHART."

Mr Lockhart's
Draught
of the Town Lockhartsburgh
On Tioga —

INSCRIPTION ON BACK OF LETTER

This letter and sketch have much information and some problems. It may be inferred that Matthias Hollenback has already sold the corner lots. John Harris is assigned to the one now north of the Museum-Library, on which he had a cabin and a store later. Daniel McDowell, Hollenback's clerk, has one of the east corners, and Maclay must have chosen one for his son when he made the survey. As to the personality of these men, John Harris was a descendant of the founder of Harrisburg, and brother-in-law or nephew of Maclay; he came to this region with the Maclays, or, more likely, with Samuel Harris of the same family, who "pushed" up the Susquehanna and Chemung about this time and squatted at Painted Post. No further mention is found of "Mr. Maclay's son," and the pioneer settlers said that John Harris had a store on Maclay's lot. Observe the streets in this first plot of "Lockhartsburg," as it was called for some years by Pennsylvanians. The same Main Street as now, the old Sullivan Road. But Lockhart's "Main Street" surely crosses from river to river just where the Academy and Museum-Library stand in 1907. We will hear of this street again later, although it has never been mentioned by local historians. The letter indicates a fifth lot leased to one Robert McDoall, an unfamiliar name. Twenty shillings a year is not excessive rent.

Here the descendants of the Connecticut settlers are perhaps surprised, and uneasily wondering about the grant of the Susquehanna Company. But the dates are against all previous statements. Maclay's survey of Tioga Point was the earliest; and no doubt it was his location of the State line that first gave the Connecticut people the idea of laying out another township.

During all this time the schemes of the Connecticut settlers at Wyoming were shaping toward a settlement at Tioga Point. For, in spite of the decree of Trenton, the contest still raged; and every effort was made to prolong it.¹⁸ The story of the whole fierce struggle at Wyoming need hardly here be told.¹⁹

¹⁸ Upham says, "To heighten the mischief, there was a general weakness of authority, and a spirit of reckless turbulence pervading some portions of the country, leading to a conviction that a more efficient government had become necessary. People everywhere were con-

The Susquehanna Company was temporarily paralyzed or discreetly quiescent after the decree, although a meeting was held in 1783, and a resolution passed, saying "that this Company *are determined* to pursue their just claims," etc. In other words, to enforce, if possible, the right of soil or, more plainly put, "possessory right." At this time the able Timothy Pickering had been called to Wyoming to attempt to settle the disputes, which he longed to do. Upham, his biographer, says:

"He loved the people, *the common people*. He never had a particle of pride. He honored merit alone, never paid or affected homage to what is called 'greatness.' This was manifest in all his actions, language and manners. But the unusual condition in the Susquehanna valley was such that Congress could exercise no powers, because it was then undecided to which state the territory belonged. Pennsylvania could not shelter the territory, because its inhabitants did not suffer her to extend her authority, civil or military, over them; she had tried it over and over again and been repulsed."

Congress did not even send troops *direct* to Wyoming's aid at the time of the massacre, but to Easton, Sunbury, etc.; not wishing to do anything that would compromise its policy of non-interference. He also says:

"In co-operation with the Land Company of Connecticut many persons of influence in New York and elsewhere were busy in concerting schemes * * * looking to the separation of the territory *into a distinct state*, and to land speculations there from which they would derive great advantages. The outside parties *secretly encouraged another interest*, of those who had purchased under Proprietary government, and by the confirming law had been stripped of their titles."

It is difficult at this period to understand the conditions which influenced the chief actors or, indeed, all the actors in these controversies. Upham, having carefully examined all of Pickering's Mss.,²⁰ and apparently considered the matter in an unprejudiced way, has made the matter quite clear. He says:

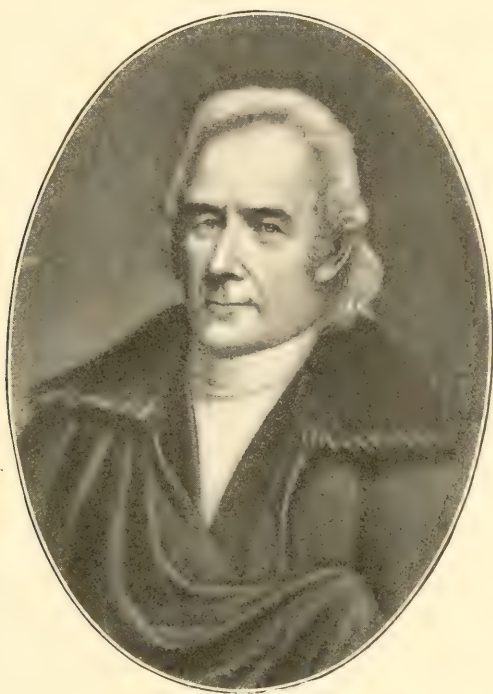
"Indeed, there was at that period *pervading the country* a fearful disregard of the obligations of law, a wide-spread spirit of insubordination to government in general. The public mind, during the Revolutionary war, had * * been getting loose from the idea of political restraints; and it was long before it recovered a healthy allegiance to the authority of government. * * At that day the truth had not dawned upon any, that, in a free Republic, rebellion is out of place, absurd, and sure to fail. Further, it was not then known, as subsequent exper-

vulsed by excited discussions, and vehement dissensions incident to the struggles that resulted in the adoption of the present Federal Constitution. After decree of Trenton Pennsylvania ought instantly to have quieted the Connecticut settlers in the possession of their farms; the affection and allegiance of such a people would have been worth more than all their lands. Both States undoubtedly felt confident of being in the right. This accounts for their pertinacity and determination not to recede, or concede at any moment, in any crisis, or to the slightest extent. This was not an unreasonable obstinacy. The case had such inherent difficulties and perplexities, it will always be looked upon in opposite lights. *No blame can therefore attach to the parties at the time for each having most decided opinions relating to it*; they proved the sincerity and depth of their convictions by the constancy with which they clung to them, and suffered for them. The duty of the historian is to relate what men did and said without espousing the sentiments of either side, or being responsible for actions or language. In this affair, at the time, men spoke their minds forcibly and emphatically, yet many outlived their prejudices, and reversed their judgments."

¹⁹ See Harvey's "History of Wilkes-Barré" for exhaustive treatment.

²⁰ Timothy Pickering's Mss. are still preserved in keeping of Massachusetts Historical Society. Vols. 62 and 63 cover his residence in Wyoming, and are said to be valuable sources of information concerning history and land controversies of Wyoming Valley. In his journal of a tour through northern Pennsylvania in the summer of 1786, he was several times in or near Tioga Point. We have not had the privilege of examination of Mss., which we regret, as he made close observations on this trip as to quality of land, natural products of country, etc., various allusions to which are to be found in Upham, Vol. II, pp. 250 to 255.

ience has proved that a Republic cannot easily be dismembered. Counties can not sever themselves from States, nor States from the Union. With such a lack of appreciation of the folly of forcible resistance to laws, it is not to be wondered at that frontiersmen like the Connecticut settlers at Wyoming should have been drawn into rebellion. Their peculiar experience had led them to know no other sovereign than their own determined will; they had looked in vain, outside of their own narrow limits for aid or for justice. Such men were fit subjects to be instigated into rebellion. All they wanted was a leader, and he appeared at the crisis, Colonel John Franklin. He had signalized himself by deeds of gallantry on many occasions, was a man of great physical strength, every way qualified to enlist the confidence and stimulate the passions of men disposed to daring measures. There does not appear to be any evidence against his personal and private character. * * * Of course no weight can be attached to expressions used against him while the heat and violence of the struggle to subdue him were at their height."



John Franklin

Here enters actively upon our scene the man of whom it has been said "*That which will ever make Athens a Mecca to every true son of the Yankee settlers is that here lived, here died, and here is buried Colonel John Franklin.*"—Craft.

John Franklin's biography should be fully written; it is a task that we trust will soon be well done to the glory of Tioga Point.

Here it seems best, rather than to give the usual pedigree, etc., to record some things said of him by men who knew him, or lived nearer his time. Franklin's life, in a way, is the story of the Connecticut Controversy; in giving it, his faults as well as his virtues are glaringly shown. But that he was an able leader (rather than as has been said, the tool of crafty men, thinking only of greed and gain) must be evident to those who follow the details of his remarkable career. His life should be made known to all the youth living within the boundaries of Westmoreland, should be studied in our schools, talked of in our streets, and ever shed its light over the Happy Valley where, at last, shrouded in darkness, it went out. Where and when he was born, whose son he was, etc., are of small moment to *what he was*.

We have chosen to portray him partially in the words of the late Hendrick B. Wright, given in "Plymouth Sketches," who lived so near the time of Franklin's activity that his pen picture glows with a color seldom given by the cold, critical historian, or the prejudiced Pennsylvanian, whose views will be given at intervals through the succeeding chapters. While some descriptions were drawn from Miner and others, the basis of the following extracts was the memories of Jameson Harvey, whose father was Franklin's intimate friend, his home being one of the favorite stopping places of the "Hero of Wyoming" as he journeyed back and forth. Mr. Wright is not followed verbatim, some interpolations and omissions having been made by author.

Mr. Harvey represents Franklin as a tall, square shouldered, well-built man, six feet or more in height, with wonderful development of physical power. He leaned slightly forward in his walk, but moved with a firm step. From the accounts of others, he seems to have been a man of Herculean frame, and possessing strong muscles and sinews, as shown when it required the united strength of four men to hold and bind him with cords, when arrested for treason and sent off to the Philadelphia prison. He was a son of John Franklin, Sr., one of the original proprietors of the Susquehanna Company, and a native of Canaan, Litchfield County, Connecticut. He came with his wife and children to Plymouth in 1774. He had brothers who either immigrated with him or about the same time to the valley. Roswell, Jr., and Arnold Franklin were not brothers to John, though probably related.

In the spring of 1775 John Franklin entered the wilderness alone, and upon the banks of Huntington Creek, on his father's rights, as shown in Westmoreland Records, Ledger A, page 46, made his "pitch." Having circumscribed the limits of his claim by notching and blazing the trees, he knocked up some turf with the poll of his axe, and this was his warrant of entry.

No white man had preceded him in this vicinity. His faithful dog was the only witness to this act of possession, and his rifle the only battery of his defense.

The man who had the courage and personal bravery to do this possessed the qualifications to fill the places of trust afterwards conferred upon him. During the summer of 1775 he chopped over and cleared off some three or four acres, sowed it with grain, erected his log hut, and was now ready for his family.

His nearest neighbor was at the Susquehanna River, seven or eight miles away. "In that year he came to take a round in Plunket's battle," and returned to his wild home again when it was over. And thus the resolute man was engaged, whose capacious intellect, in succeeding years, dispelled the sophistry concealed in the Trenton decree, and whose untiring energy and iron will gave cast and coloring to the almost helpless Yankee cause.

The man of the people; the man for the people. The tall and stately form, whether at the head of his company, driving the Tories before him out of Plymouth; taking his oath of revenge, bound in chains as a traitor, at the head of his company under Sullivan, exterminating the enemy, or pleading the cause of his afflicted associates, ever loomed up, the object of love, affection, and profoundest veneration by the Connecticut settlers of Wyoming.

In the spring of 1776, he installed his wife and children in the primitive home, the only family in the township. In November, 1778, his wife died, leaving three small children, one an infant of a week old. Having no person to take

care of them, he determined to place them in charge of his kind friends in Canaan. Harnessing a horse to a little cart, he put in the three children, tied a cow by the horns to follow, and drove on, having a cup in which, as occasion required, he milked and fed the babe. Thus he traveled the rough way, more than two hundred miles, in safety, exhibiting all the patience and tenderness that might be expected from a mother.

After the first ten years of his residence here, he was the leading and controlling spirit of the Yankee people. No one questioned his bravery nor doubted his integrity and honesty. All relied on his sound and well-balanced judgment. He differed with some of them as to the propriety of accepting the confirming law of 1787, but his view was the one which ultimately prevailed. To it the opinions of statesmen, jurists and laymen were forced to give place. His devotion to the cause was well shown in the following incident. An intimate friend, William Jackson, was wounded during the most serious attack of the Pennamites in 1784. Seeing his comrade, in what he supposed a dying condition, Franklin seized the rifle from the hands of Jackson, covered with the blood from his wounds, and with his eyes elevated to heaven, and his right hand upon his heart, solemnly took upon himself an oath:

"I will never lay down my arms until death shall arrest my hand, or Paterson and Armstrong be expelled from Wyoming; the people restored to their rights of possession; and a legal trial, guaranteed to every citizen by the Constitution, by justice, and by law."

In this transaction we read the heart of Franklin, and learn the brave and determined character of the man. His position was established now among his associates; he had fully defined his status. The effect of the oath brought full development; he saw in himself, and so did his men, his future position—the leader of the cause.

Not long after this, at a parade in Shawnee, Captain Franklin was unanimously elected Colonel of the Regiment. He was now their chosen and revered chief, and upon him were centered all the affection and confidence that the soldiers of the Revolution reposed in Washington.

Henceforward he was their agent, manager, representative, advocate and companion. And probably no man ever became so familiar with his associates, and yet at the same time retained their respect. He could let himself down, but his dignity of character was sustained in the exalted qualities of his heart.

Mr. Miner says: "He could make no pretensions to eloquence, yet he rarely failed to command attention, even from the learned and accomplished; earnest, often vehement, his whole soul seemed to be in the matter he discussed."

What is eloquence? The utterance of strong emotion; the power of persuasion, elevated, forcible thought; well chosen language, and an impassioned manner. Most of those qualities Colonel Franklin possessed to a large degree. The language of his memorial to the Legislature, and his oath upon the bloody rifle, are specimens of the highest order of eloquence. He cannot, of course, be measured by the standard of men like Burke or Clay, whose choice language and impassioned delivery furnished models of their kind for the world. But it can be said of Franklin, as of Paul before Felix, that when he spoke there was silence, and men trembled.

The few specimens left us of his legislative efforts show a thorough comprehension of his subject, and a bold, fearless course of argument. They may be classed as solid and common-sense productions. He possessed but the rude elements of education, and lacked knowledge of the proper grammatical construction of sentences, *but what the schools had not supplied, God Almighty had.*

The general features of the compromising law of 1799, which proved the panacea of Wyoming troubles, were mostly the result of his labors. He was a member of the General Assembly of that year, and he made his mark. For these services he was continued a representative for the four succeeding ones, ending in 1803. But he lived to see peace restored, and had the proud satisfaction of seeing it established on his own basis; upon a theory for which he had at one time contended against the opinions of eminent lawyers and many of the Connecticut settlers. The effect of the decree at Trenton, as decisive of title to lands, became abrogated, "Col. Franklin triumphed, and the flag of the Con-

necticut settlers, which had long trailed in the dust, went to the head of the staff."

At this period the legislative body met at Lancaster. There were no public stage coaches; the condition of the roads forbade their use, the members were accustomed to go and return on horseback. It was the custom of Franklin to walk with the bridle rein over his arm, his horse following after, with a huge portmanteau on his back, filled with his clothes, books and papers. The people along the road became accustomed to the tall, athletic figure, known as the man who traveled "afoot on horseback"; and as they could easily recognize him at a distance, would exclaim: "There comes Franklin, the great Yankee hero!"

After the conclusion of his services in the Assembly, he retired from public life. But his home was always the resort of old settlers; many of them would make him annual visits. He had a wonderful memory, and treasured up all the incidents, adventures and anecdotes of the eventful times in the valley, in most of which he had participated; and even up to the close of his checkered life, delighted to dwell upon them in his conversations. And when he gave his last breath there died the head and front of the Yankee column.

His home at Athens, built in 1791, still stands as part of the house of Nathaniel F. Walker, his great great grandson. It is impossible to picture it because of overshadowing additions. His grave, and that of his second wife, are close to the home, on the bluff overlooking the highway; a shrine towards which many pilgrims should wend their way. The portrait painted in old age, when his mental faculties were impaired by the storm and stress of years, ill portrays the character or the splendid physique of the young John Franklin.

Leaving much of his life at Wyoming to Wyoming historians, we will give his part in the history of Athens, as suggested by the late Edward Herrick, Jr.:

"In the settlement of Northern Pennsylvania, Franklin was the recognized leader, making annual pilgrimages to New England and bringing back hosts of industrious settlers; and the people whom he brought hither, he never forsook. Their battles he fought in the courts, the assembly, in newspapers, in pamphlets, and, if necessary, with his strong right arm, with a zeal, persistency and fidelity which deserved for the cause *he thought to be right*, a better fate."

July 13, 1785, the Susquehanna Company, roused to action by Franklin and many prominent men of Connecticut, New York and other states, held a live meeting once more at Hartford (for full account see Penn. Archives, Vol. XVIII, 2d series).²¹ At this meeting the half-share movement was decided upon, and many other resolutions passed, all based upon the one which proclaimed that the Trenton decision had astonished the world, and that the right to these lands in possession was "founded in law and justice clear and unquestionable, and we cannot and will not give it up." The half-share men were to go on the ground not later than October; the Ulster grant was for their benefit. After this Franklin traveled all through New England and Eastern New York, with a copy of all the resolves of the meeting in his hand, telling the piteous story of the wrongs of the Connecticut settler. Being a natural orator, he soon had the whole country roused and ready to support him in any endeavor. Previously, with the Gores and others, he had formed an association to purchase a large tract of land in New York State, just over the line. He spent

²¹ Pickering says of this, "After the decree of Trenton the *state-claim* of Connecticut was forever barred; but the case of the innocent settlers who entered in full faith of the right of Connecticut was entitled to commiseration. The Susquehanna Company ought, like the State, to have abandoned their claim. But they had recourse to intrigue, invited emigration of all men on condition they should enter the country armed 'to man their rights,' the land being offered gratuitously. By this the Susquehanna Company hoped to pour in such a mass of young and able-bodied men as would appear formidable to the government of Pennsylvania." Pickering says this was the project of men of the most respectable standing in Connecticut, and was known as the Half-Share Movement.

several weeks exploring this tract from Oquago up the Chenango, and it is written that "Mr. Gore, of this place, sent some time ago to the Assembly of New York with a petition for a grant of land, returned last night, and brought the news that the petition of the Wyoming settlers had been granted, and that he was going up and choose a place." (Capt. Shrawder.) It soon became evident that the Pennsylvania Legislature was controlled by the land jobbers; Franklin tried in vain to secure a court to try the private right of soil, and in vain to interest the government of Connecticut in behalf of the suffering settlers. What then was left to be done? Manifestly to erect a new state.²² At this time there were, according to Franklin, upwards of six hundred effective men among the Susquehanna settlers, and a large number promised from the west branch. All that seemed necessary, therefore, was to bring on a sufficient force to wrest the territory from Pennsylvania. Indeed, Franklin says:

"We were also determined to oppose any authority from Pennsylvania * * * until we could have a regular establishment on constitutional principles, and our lands in some way secured to us."²³

This scheme was to bring this valley into far greater prominence than it has ever known except in the annals of those times. For since the erection of the county of Luzerne had defeated the project for that locality, the new state was to be erected farther north, combining lands in Pennsylvania with large unorganized portions of Southern New York, possibly those which Franklin had already examined, and those in the Gore,²⁴ which were leased directly from the Indians by Simon Spalding, Obadiah Gore and fifteen others. According to allusions in many letters of the period, Athens was the destined capital of this new state; because of its proximity to the State line. If it were possible to procure the diary of Col. Franklin (written for C. L. Ward's contemplated history), which was seen by the late Henry C. Baird, doubtless all this mystery would be disclosed, even to the bestowal of the pretentious title of the Grecian city upon the settlement. (Mr. Baird said this diary was in the possession of Steuben Jenkins.)

The new state project had been some time in mind, indeed it has been said it was a project of the early days of the Susquehanna Company (forgetting that those were colonial days). Far more likely it was the natural outgrowth of the oppression suffered at the hands of the Pennamites, increased by the evident fact that the Pennsylvania Legislature was controlled by the speculating land jobbers; therefore Connecticut settlers could not obtain justice.

The new state scheme can be better understood by perusal of the following letters, orders and various communications from Vol. XV,

²² It should be remembered that at this time the Articles of Confederation were still in effect, which compelled Congress to refrain from interfering in the domestic affairs of any State.

²³ Miner says, "Immediately on Col. Franklin's return to Wyoming Valley, he called meetings at Kingston, Plymouth, Nanticoke and Hanover, explaining what had been done at Hartford, inviting adventurers and offering half share rights as bounties; being engaged many days in issuing certificates." These efforts may well be called the beginning of the "Wild Yankee" movement, and must be thought of as the forerunner to the settlement of this valley.

²⁴ See "Connecticut Gore" at close of this chapter.

Col. Records, Vols. X and XI, First Series, Pennsylvania Archives, and from a Mss. volume in the collections of the American Philosophical Society (founded by Benjamin Franklin). The latter is labelled:

"Contents partly copied from State Records and partly from reports of Judge Gibson and Judge Thos. Cooper."²⁵

A careful study of all these volumes and Mss. reveals that when Wyoming troubles subsided, *Tioga Point became the storm centre of the land controversy.*

It was no longer between state and state, but between the Connecticut settlers and, *as a rule*, the Pennsylvania land jobbers; a lamentable fact, admitted even by the wise and just Timothy Pickering.

In quoting from these Archives there may be some repetition, as it seems wise to present these extracts in full. They begin soon after the decree of Trenton, a report being sent, March, 1783, to John Dickinson, as President of the Executive Council of Pennsylvania, saying:

"That the conduct of the inhabitants resembled a conquered Nation very much, secret meetings being held, etc.; also that Mr. Gore had returned with a favorable answer from the *New York* Assembly to a petition of Wyoming settlers for a 'grant of land near the head of the river Susquehannah.' Simon Spalding was reported as the truest of any seen yet."

A little later John Jenkins informs the commissioners, "*We do not mean to become abject slaves,*" etc. However, there are a good many familiar names in the list of householders of Wyoming who *do* wish to support the laws of Pennsylvania. Notice was given to Dickinson that a messenger had been secretly dispatched to Connecticut to obtain lists of original settlers, etc. Notice that the Assembly of Connecticut, in October, 1783, appointed Eliphalet Dyer and others agents for the State to pursue enquiries, etc.; it having been reported that at Trenton evidence was concealed and suppressed. A month later a messenger was sent from Connecticut to the Pennsylvania Assembly, and to Congress concerning the rights of the "Susquehannah Settlers, who are recommended to the *Commiseration* rather than the *Rigor* of the State of Pennsylvania."

In March, 1784, President Dickinson writes a vigorous letter to the Governor of Connecticut; claiming that the charges of suppression of evidence, and of cruelty, are unfounded; also asserting it to be too plain what the consequences will be if Connecticut as a state makes common cause with the Body of Men who "are tempting bold and needy Adventurers from every Quarter to join them;" and closes by hoping for a satisfactory adjustment.

Just previous to this, Dickinson had written to the Pennsylvania delegates in Congress "The attempts of Connecticut are very extraordinary, and are to be opposed with the most persevering vigilance," asking them by all means to prevent any step toward a revision of the Trenton decree. To Governor Clinton he writes:

"We flattered ourselves that so respectable a determination would have put an end to all contests. * * But with regret we find that the dispute is reviving in a variety of forms."

He therefore appeals to Clinton and the State of New York to assist, as far as possible, in settlement of the controversy.

There are various notices in 1784 concerning affairs at Wyoming, violations of peace, abuse of commissions, and similar acts.

²⁵ Attention was called to it by the courtesy of Mr. O. J. Harvey.

February, 1785, a writer says: "The Wyoming dispute rests at present, and we hope it will for some time." Soon after this, however, Waterman Baldwin was heard to say that, if they could not hold the lands at Wyoming by law, they would by force of arms; and a little later a list is given of those who bore arms at Wyoming in 1784. About thirty of them were among the original proprietors of Athens; and Swift and friends were heard to boast that they would be the death of every Pennamite.

As these excerpts must be chronologically interwoven with the valley history, let us resume that; for it was evidently at this juncture that it was decided to open more townships at the north.

It is an oft repeated tale that the settlement of this entire valley was made by Sullivan's soldiers, who admired the fertile river plains cultivated by the Indians, and hastened to return. While doubtless these men were more willing to attempt the settlement, because of their knowledge of the region, they were well aware that the attempt was to be an organized defiance of Pennsylvania, and that fighting was likely to be in order. A number of the men who came with Sullivan had previously made pitches along the river, even as far north as old Sheshequin, but were driven back by fear of the Tories and Indians. Old Ulster had been applied for and granted in 1775 to Asahel Buck,²⁶ Lockwood Smith²⁷ and others. Its upper boundary was supposed to be the State Line, but after Maclay's survey, that was found to be farther north, leaving room for another township.²⁸ The issue of lottery warrants being known, no time was to be lost, the territory must be occupied for the sake of the new state scheme.

And now enters on the scene a new and incendiary spirit, Dr. Joseph Hamilton, of the City of Hudson, N. Y.—March 24, 1786, we

²⁶ Asahel Buck was one of the family who afterward settled in Buckville or Chemung. He was killed in the Wyoming Massacre.

²⁷ Lockwood Smith seems to have been the only original proprietor of the first Ulster Grant, who returned to take up his original claim. He was a native of New England, ancestry unknown. He removed from Connecticut to the town of Nine Partners, in Dutchess County, New York, and thence to the Wyoming Valley, some years prior to the Revolution, walking all the way, his wife and their personal belongings on the horse beside him. He was one of the original proprietors of Old Ulster in 1775, and seems to have had residence on his claim, but returned to Wyoming and lived in Kingston for two years. Although it is well known that he was in active service in the Revolution, no record can be found. His brother Joseph's record has been. They are buried side by side in unmarked graves in the Milan Cemetery, which land was given by him. He told his children that he was one of those who conducted the refugees after the Wyoming massacre to places of safety in the east. He seems to have had three wives. Name of the first unknown; the second, Deborah Buck. About 1783, in company with the Buck and Platt families, he came by way of Catskill and the Hudson across country to present Great Bend, whence they came in Indian canoes down the river. They finally reached the old Ulster claim, although the Bucks did not settle permanently. Lockwood Smith's claim was about a mile south of Buck's Creek, and when patented in 1812 consisted of 391 acres, later known as "the Elms," or "Snell farm." They were lots 4 and 5 in old Ulster, "which claim was fully established." Lockwood had thirteen children, eight by Deborah Buck. After her death he married Mrs. Jonathan Platt of Sackett's Mills (Candor), and had five more. Their names, in probable order, are Enos, Nancy (Knapp), William (married Leah Currie), Asahel, Deborah (Buck), Phoebe (Phelps), Lockwood, Silas, Platt, Rachael, Polly, Abigail, Zeruah. Many of this family went west. Abigail married her cousin, Henry Smith, and they were the parents of Hulon C. Smith, now of Athens. In his old age, feeble in mind and body, Lockwood Smith imagined ever that he heard drums and fifes, and was called to battle. He considered it a religious duty to hate an Englishman and a Tory.

²⁸ A complete history of Ulster will be given in Chapter XVII.

find him writing to Col. Franklin as follows (p. 752, Vol. X, Penna. Archives) :

"Dear Sir. This I send you with Mr. T. Gilbert, and three young men with him to settle in that Country. I wish * * you would direct them where to find my lands. * * I continually exert every Nerve in the Cause. I endeavor to rouse every Body and every thing & spare no cost that I can be at. There are a considerable number of men of abilities in the Country acting briskly in your favour, * * but remember no consideration will act so strong in your favour as your absolute desperacy, this with a moderate degree of Policy will make it utterly impossible you should ever be Conquered, *in the meantime every Imple-ment of defense should be stored either at Tioga or betwixt that and Lake Otsago, as also the Books of Records which are at Windom.* * * You write you fear to lose your half share men, if a meeting dont provide for laying out, etc. Good Sir I see no need of a meeting, you have all the Power in your hands—locate your Towns for them on the Company's cost with the rights you have,—it would be well however for the sake of preserving good order that the Committee for laying out joyn with you herein. * * But above all preserve good order and a proper subordination and harmony among yourselves, men thus Planted and desperate. The angels from Heaven unless Divinely Commissioned could not dispossess. * * My friends go on, go on, but for God sake preserve rule and good order among yourselves, but let no man be among you but who feels himself Interested let him be pleased with his situation if possible, this is the only true policy. Thus Sir I have thrown out a few of my Fireside thoughts—they are sincere and what I am bold in, and will ever endeavor to support. Present my best compliments to your Supreme Committee etc. Pray God bless you all. Your friend and brother in Tribulation Hope and earnest Expectation,

"JOS. HAMILTON."

"Col John Franklin Motto Perseverance.

"Supplement to the 24 of March.

"Sir. Your Paper negotiations are Political in several views; in the first place they Interest different men in your favor and thus serves to disarm, and secondly may procrastinate, however arguments will not do unless they are set home upon the Conscience by a view of a quick operating Physic.²⁹ This Physic Doctor Smith in his Letter Informs you, *keep by you*, if so and you administer well, you will be all good Doctors. (Hint.) Burgoyne fell because he did not preserve a retreat to the Northward, you will observe that we have not as yet been disturbed on the strip of Land two miles wide on the North side of our Purchase.³⁰ We have bought it of the natives, & Pennsylvania does not claim it, no man has even a pretence to trouble us there, and State Troops cannot be marched out of the State without breaking confederation, these appear to me to be considerations very momentuous in our present situation. Even Magazines and Warlike stores to defend against the Indians who it is said now threaten may lawfully be deposited there Cannon, etc. N. B. you may depend on a visit from the Head Doctor from the North (by the 15th) of the next of the Petitions with his apparatus Glisten Pipe and all. Capt. Strang is very buisy and will soon be there. Mr. Beach is much wanted in those parts, in short I should not know how to do without his assistance * * we want resolution here as well as there, and it will not do to Strike a man in the Streets in view of the Public without telling for what it is, for this we must constantly do in the Public Prints and every where else, otherwise we bring the resentment of the Public upon us. J. H."

It is impossible to fully understand this hidden style.

In this year, 1786, the Wyoming settlers were only nominally under Pennsylvania law. Col. Jenkins, Col. Franklin, Capt. Schott, Ebenezer Johnson and Dr. William Hooker Smith were chosen by the people (says Miner) as "a Committee to regulate the police of the Settlement." Unquestionably Smith took advantage of his association with

²⁹ This physic is supposed to be powder and lead.

³⁰ Unquestionably the strip called the Gore, see end of chapter.

these men and acted as a spy. Franklin intimates in one of his journals that they were determined to support their claims.

The time was now ripe for the attempted establishment of Athens, the eighteenth township.

Some consideration of events at Wyoming since the decree of Trenton here seems necessary, for while this settlement was made in connection with the New State project, there were certain Connecticut men more willing than others to leave Wyoming, who, from their firm adherence to the cause, had been associated with riotous acts, and were under the ban of Pennsylvania. In 1784 Col. Armstrong, Pennsylvania's agent, or, as he has been justly called, "the tool of the Pennsylvania land claimants," reported from Wyoming that the Yankees had made an attack on his quarters, which had been vigorously met and repulsed.

Some years since the late Edward Herrick, Jr., found in the loft of the old capitol at Harrisburg a large handbill or Proclamation relating to this event, a copy of which is now in Tioga Point Museum, in such fine print that it cannot be well reproduced. But as the early historians of Wyoming either slight this event, or give incorrect dates, some quotations direct will here be made.

In a long preamble explaining the necessity for action, and mentioning principally the unprovoked murder of Jacob Everett at Locust Hill by Swift's band²¹ of Yankees, *of whom Elisha Satterlee was one*; the President of the Supreme Executive Council of the Commonwealth of Pennsylvania proclaims that they had appointed as commissioners, Boyd, Armstrong, Reed and Oakly, September 9, 1784, and who immediately repaired to Wyoming.

"And Whereas, on the night of Sunday, the 28 day of last month, the settlers aforesaid attacked the houses in which sd. commissioners were lodged, firing several balls into the same, whereby the sd. commissioners were in great danger of being killed, * * * and in the next succeeding night the sd. settlers again attacked one of the sd. houses, and mortally wounded Capts. Samuel Read and Andrew Henderson, late officers of the Pennsylvania Line. * * * The public reward of Fifty pounds shall be pd. to any person or persons who shall apprehend and secure John Swift, Elisha Satterlee and others."

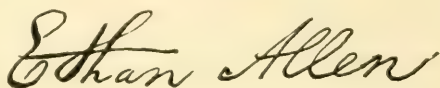
The Wyoming historian Chapman tells of this attack (p. 153), although, according to the proclamation, his dates are incorrect. He gives the true reason for the attack of September 28 and 29, 1784, as does Franklin in his statement to the Council, to wit: that Armstrong had by an act of treachery deprived the Connecticut settlers of their arms, which they recovered on the night of the attack already mentioned. No Wyoming history relates, as did Franklin and Satterlee in after years, that the men were arrested, taken to the Sunbury jail, and rescued the same night by some companions, who, with levers, raised the logs at one corner of the building while the fifteen prisoners crawled out and fled to the woods. Yet it is probably a true story, long ago written down by descendants of Franklin.

²¹ Swift's band had gone out at this time to resist or prevent the advance of the Pennsylvania Commissioners.

One could digress at length here to tell of various contemptible acts of Armstrong, which led even John Dickinson, the humane and just President of the Executive Council, to protest against his return to Wyoming. Armstrong was evidently the tool of the Pennsylvania land claimants, and his actions illustrated the old saying that "the whole controversy was a land-jobbers quarrel." "Swift's Band" comprised many of the pioneer settlers in this region, and their pursuit by Pennsylvania justice would easily drive them away from Wyoming. Possibly some had already settled on the old Ulster grant, whose upper line was at present Pine Street or just below.

Soon after Hamilton's incendiary letters, as testified by John Franklin in a lawsuit at Athens a few years later:

"In April, 1786, General Ethan Allen paid us a visit at Wyoming and proposed to settle among us, and to bring on a number of his Green Mountain Boys, and assist us in supporting and defending our



rights against the Pennsylvania claimants. A large number of Proprietor's Rights were given to General Allen to espouse our cause."

Franklin also deposes:

"In April, 1786, a number of persons interested in Susquehanna claims, among whom were Elisha Satterlee and Elisha Matthewson,³² wished a new township laid out. A meeting was held and Col. Jenkins³³ and I proceeded to lay out a township, Elisha Satterlee along. I assisted in getting outlines fixed and left them [deposition illegible here] Commissioners of Susqua. Co. agreed on grant of Twp. I carried it to Connecticut to Windham to be recorded."

These depositions plainly indicate that the settlement of Athens was decided upon in connection with Allen's coming.

Let us pause here. Can you guess why this haste, and what it all meant? Pennsylvania, alarmed by the arrival of so many half-share men, or "Wild Yankees," had put on her thinking cap, withdrawn the soldiers, and proposed to erect the disputed territory into a *new county* (Luzerne). There was not a moment to be lost; Franklin, if not calm, was at least clear-headed. The time had come for the *New State*, and it was resolved to erect it at once, with the help of Ethan Allen, "and the notorious Daniel Shays of Massachusetts, who had come on with many of his deeply wronged followers." Allen, in his cocked hat and regimentals, was blustering around with some of his famous Green Mountain Boys in his wake. It is said he declared he had made one state and, "by the Eternal God and the Continental Congress" he would make another. Was ever such profanity? No wonder the scheme failed!

John Franklin and William Jenkins evidently made application to the commissioners at Wilkes-Barre, for on the back of a tattered

³² Biographies of these men will be given in following chapter.

³³ Col. Jenkins was for many years a prominent man in Wyoming (son of a patriot and surveyor). He was the recognized twin leader with Franklin. "He was quiet but obstinate; said nothing, yielded nothing, *always resisted Pennsylvania.*" Having traversed the whole Susquehanna district during the Revolution, both as soldier and prisoner, he was very familiar with the topography of the country, and became the official surveyor of the Susquehanna Company, being styled "Superintendent of Surveys."

and faded document (labelled by E. Herrick, Jr., "the Original Grant of Athens") is the following statement:

"Agreeable to the request of John Franklin Esq, and Wm Jenkins agents in behalf of the above mentioned proprietors for a grant of the above described township, confirming the same to them as a part of their granted or general rights in the purchase. The same is hereby granted to them, agreeable to the rules and regulations of the Susqua. Co. *By the name of Athens* provided it does not interfere with any other regular grant; in confirmation whereof we have hereunto set our hands this 9th day of May A. D. 1786.

"ZEBULON BUTLER Com. for granting of Twps."

Another partially illegible note indicates that this copy of grant remained in the hands of Wm. Jenkins some years. We do not believe it to be "*the original*" for many reasons. Franklin continues thus:

"Before I left them we agreed how to lay it out into lots; viz, in *three* divisions. The first division was little town lots now the village of Athens—The second division were ten acre lots, on the point, on the island and above the town—The third division, some east of Susquehanna, some between two rivers, and some west of Chemung. After the surveys were made they were to draw for the lots by a lottery. *I was not present at drawing.*"

We assume the next step was the survey, and here are Col. Jenkins' field notes, or an attested copy of his amplified notes, made by Zephon Flower. While we do not know that Colonel Jenkins was an ungodly man, there may seem to have been such need of haste that he remembered the old saw, "The better the day, the better the deed;" for he began the survey Sunday morning, and must have had a pretty busy day. The notes are headed thus: "Field Notes of the Town of Athens Taken May 7, 1786, etc. Began to take the Traverse of the Tioga River * * * " The amplified notes, as found on back of Maj. Flower's copy of the original map, read thus:

"Sunday morning May the 7th 1786. Began to take the course of Tioga Creek at the mouth and run N 53 W 41 Rods; N 43 W 21 (45 in Paine's copy); N 35 W 40; N 30 W 56; N 15 W 34; N 4 W 34; N 29 E 112 to where a small cove¹ makes up to the shore; (on the west side in Herrick's copy) N 13 E 87 to Mr Gardiners house, Wyncoop house nearly opposite on the other side, course continued 14 rods to a ridge of land running south nearly to the main river, course continued 56 rods; N 3 E 58; N 9 W 58; N 28 W 70 to a ridge of land running N 40 E to the main river at the upper end of the Town Plot;² N 38 W 60; N 46 W 50; N 49 W 180; N 57 W 16 (60 in Jenkins' from Herrick) to the end of a mountain on the other side of the creek opposite John O'Neils house; N 56 W 44; N 21 W 74; where mountain makes off from the creek; N 57 W 20; N 35 W 20; N 31 W 140 to the upper end of an island 20 rods wide (Gen. Provost's plantation in Paine's copy); N 16 E 98 to a ridge of land near the fordway across the creek; N 21 E 44; N 15 W 82 to the mouth of a small creek; N 21 E 44; N 15 W 82 to the mouth of a small creek,³ an island in the bend of the creek, the lower end of a flat piece of land, buttonwood timber;⁴ N 57 W 22; S (N in Herrick's copy) 85 W 34; N 70 W 54; N 57 W 40; N 40 W 22; N 15 W 43 (28 in Herrick's copy) to the north line of the Town.

"Monday morning began to take the course of the great river from the point up, N 4 E 50 rods; N 24 E 18 to where a gut of water makes up into the land; N 31 E 40; N 44 E 28 to McClures house, continued the same course 154; N 39 E 21; N 36 E 30 to the lower end of the cove which makes up 8 rods wide; N 25 E 41; N 18 W 31; N 31 W 30; N 49 W 51 to the lower end of an island; N 70 W 42, the upper end of a flat; N 50 W 54; N 25 W 68; N 12 W 16; N 10 E 64 to the upper end of the island; N 12 E 150; North 40; N 25 E 62; N 22 E 20 to the mouth of a small creek, continued the same course 116; N 19 E 30;



"WHERE THE MOUNTAIN MAKES OFF FROM THE CREEK"

N 10 E 62; N 20 E 38; N 30 E 74; N 34 E 50 to the mouth of a creek⁵ 6 rods wide; N 74 E 60; N 57 E 48 rods to a creek where a cove makes up to the shore.

"Distance from the Tioga River to the Susquehanna $3\frac{3}{4}$ miles and the course of the road through the town S 12 E; between the lots S 78 W.

"The course of the road through the point S 25 W 186 to a gate. Continued out the south line of the town; made a bound on the west end of Lot No 1 a White Oak tree—13 tallies 10 rods.

"Measured south line of No 40—10 tallies 14 rods from the river to the road.

"Run out the line between lots 13 & 14, 1 mile to a white oak tree marked. On the east side of the river lots continued one mile, tree on the out end.

"The distance from the creek to the road on the S side of No 53 is 193.

"Wednesday June 14th 1786. Continued out the north line of the town and made a bound on the bank of a creek a white oak tree; Thence running south 5 miles to a White oak tree marked.

"Town plot. The first lot 42 rods long 4 rods wide 2nd & 3rd same width, the others 6 rods wide. Lots 50, 51, 52 & 53 are 4 rods wide.

"Common in the middle of the town is 10 rods wide.

"Road from the town S 12 E 195 rods to the road from the great river to the creek (Tioga River), S 78 W 220 from one river to the other.

"The north line of lot No 29 is a poplar tree on the bank of the river."

The above was copied from a field book, signed John Jenkins, by Z. Flower.

Some other copies of these notes being found, they have been carefully compared and differences noted by Nathan F. Walker, who adds the following explanations:

From the point up the Tioga River to the north line of the town. Jenkins' field notes, 1724 rods. Flower's field notes, 1889 rods.

From the Point up the Susquehanna River to the north line of the town. Jenkins' field notes, 1488 rods. Flower's field notes, 1740 rods.

From Point to the cove on Susquehanna River. Jenkins' notes, 341 rods, and by Flower's notes, 350 rods.

The Gardiner house mentioned in Jenkins' field notes in 1786 was about 30 rods south of the north line of the Welles or Tioga Point farm, or about where MacAfee's gravel pit is. The Wyncoop house, on the west side was on the Thurston farm. The John O'Neil house was near the Francis Tyler or the M. J. Long house.

The McClure house, mentioned by Mr. Jenkins in his field notes of the survey up the Susquehanna River, was located on the Point about opposite the bend in the river below the house of the late H. J. Baldwin on the old Northrup farm.

The ridge of land running N. 40 E., mentioned in Jenkins' field notes, is the ridge that starts in at the lower end of Harris Street and crosses Main Street at the cemetery, and from there follows along the east side of Edward Street.

¹ Thurston's cove.

² Ridge at Presbyterian Church, 1907.

³ Dry Brook.

⁴ Gypsy Green.

⁵ Cayuta or Shepard's.

It is curious that Jenkins makes no mention whatever of Snell's house or cabin. This would lead one to believe that he lived at his first camping place for two or three years. Nor is there any other record of the settlement of Gardner, Wyncoop or O'Neil.

Provost's Plantation must have been *below* Tozer's Bridge, possibly a British military location.

The survey and grant of Athens has always been carelessly given, but the following is an *absolutely accurate* copy, carefully corrected for this history by the kindness of Mr. Albert C. Bates, Secretary, Connecticut Historical Society, from the Susquehanna Company Record Books of Deeds, Liber C, page 98 :

"Town of Athens.

"Persuant to the Votes of the Susquehannah proprietors for Locating and laying out Towns within said purchase, we the Subscribers have located and layed out a Township of land for the proprietors, a list of whom is herewith Delivered to the Comtee. for Granting Townships; Beginning as follows at a stake Marked, Standing on the North line of the Susquehannah purchase at one mile west of the Tioga Branch then East on said line Crossing both branches of the Susquehannah five miles to a pine tree Marked, thence south five Miles to a black oak Marked, thence West five Miles Crossing said Susquehannah river to a white oak tree Marked, thence North five Miles to the first Mentioned bounds. Said Town is Located & laid Out at the request of Prince Alden Jr. & Elisha Satterly and Others their Associates to the number of fifty proprietors.

"JOHN FRANKLIN } Agents for said Proprietors."
"JOHN JENKINS }

"Agreable to the request of John Franklin Esqr. & Mr John Jenkins agent, in behalf of the above mentioned proprietors for a grant of the above described Township Confirming the same to them as a part of their General right in the purchase The same is hereby Granted to them agreable to the rules and regulations of the Susquehannah Company *by the name of Athens* Provided it does not Interfere with any former regular Grant In Confirmation whereof we have hereunto set our hands this 9th day of May A. D. 1786.

"ZEBULON BUTLER

"OBADH. GORE

"NATHAN DENISON

} Comtee. for Granting of townships.

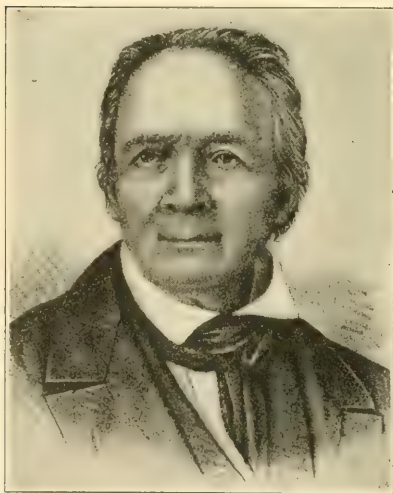
"The above is a True Record of a Survey I received to Record May 22nd 1786. Test, SAML. GRAY Clerk."

By comparing this with the copy in Craft's History, it will be seen that the latter is inaccurate in many small details. The most important is the exchange of name "*Prince Alden*" for "*Prince Bryant*."

There is no known existing copy of the grant of Athens as here given.

What a calm disregard for Pennsylvania, the decree of Trenton, the erection of the new county, and the schemes of the land jobbers is exhibited in the laying out of this township of Athens. What mattered these when this town was destined to be the capital of the new state? No wonder such a pretentious name was given. Unquestionably the capital would have been the "City of the Plains."

According to the custom of the Susquehanna Company, Athens was laid out in three divisions, each of 53 lots, 50 for the settlers and three for public use, school, church and minister generally. The first division was small town lots, comprising what was called the "village plot." The second division consisted of ten-acre lots; below the town, on the flats, and all the lands between the rivers from burying ground hill to Mile Hill or the north line of old Ulster, also the island. The third division consisted of farms of 100 acres between the rivers above Mile Hill, also east and west of the rivers. When the State line was finally adjusted, there was a belt of land north of township as originally surveyed, also some outside third division, and these lands were allotted in farms of 100 to 300 acres, called the fourth division. The date of the allotment to original proprietors has never been found. Colonel Franklin (contrary to general statement) was not present according to his sworn deposition. The old settlers always said Ethan Allen was; and while there is no corroborative evidence, it is possible the allotment took place at once, and that Allen tarried to superintend or approve, while Franklin hurried to Wilkes-Barré. The annexed map with the list of proprietors will make the divisions plain. The original of this map was made by the early surveyor, Zephon Flower,³⁵



Zephon Flower

from John Jenkins' notes and surveys. A *fac-simile* copy has never before been made. It has been discovered that all later surveyors had added to the map according to their own ideas. Zephon Flower settled in the valley in 1788, although not an original proprietor. He evidently came first with the state line surveyors of 1786, which indicates that he was considered exact and careful. That he was not influenced by Connecticut sentiments is shown by the fact that he soon became surveyor for the Pennsylvania Claims. The back of this map had another list of proprietors, given in the next chapter.

It has generally been said that the town plot had for its north line "an old street" not named, running

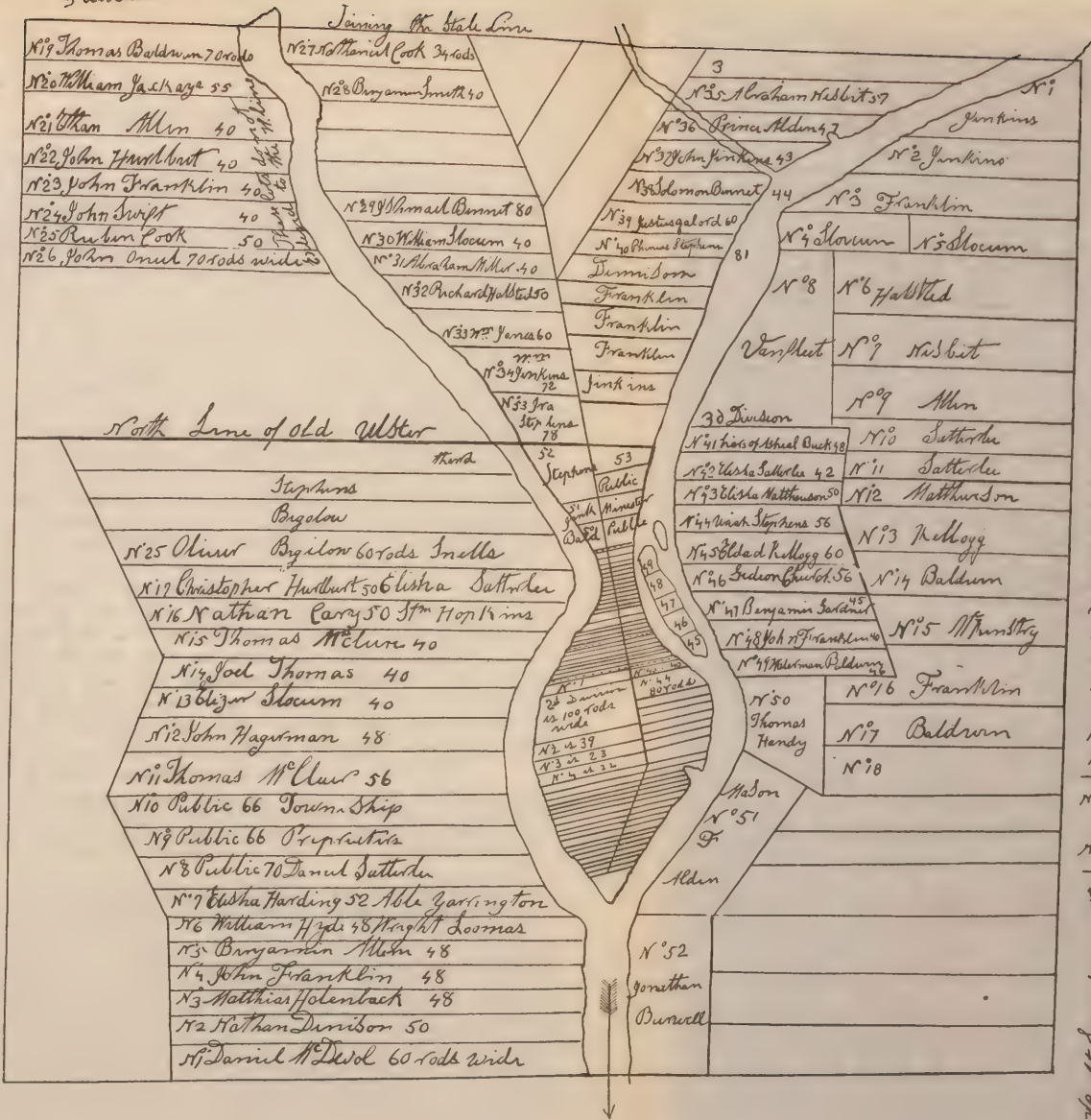
³⁵ Secretary Bates reports one more entry on page 98, which we here copy, also, because it is signed by father of an early Athens resident. "Received of Dr David Adams Six pounds Lawfl. Money To Intitle him To half a Share with the Other Proprietors or Pur-

The N^o and N^o 11th of the first division of 100 acres both the first on *Quercus flosa* plots N^o 1 is 60 fells wide

N ^o 2	50
N ^o 3	48
N ^o 4	48
N ^o 5	48
N ^o 6	48
N ^o 7	32
N ^o 8	70
N ^o 9	66
N ^o 10	66
N ^o 11	56
N ^o 12	48
N ^o 13	40
N ^o 14	40
N ^o 15	40
N ^o 16	50
N ^o 17	50
N ^o 18	60
N ^o 19	70
N ^o 20	55
N ^o 21	40
N ^o 22	40
N ^o 23	40
N ^o 24	40
N ^o 25	50
N ^o 26	70
N ^o 27	34
N ^o 28	40
N ^o 29	80
N ^o 30	40
N ^o 31	40
N ^o 32	50
N ^o 33	60
N ^o 34	72
N ^o 35	57
N ^o 36	47
N ^o 37	43
N ^o 38	44
N ^o 39	60
N ^o 40	81
N ^o 41	48
N ^o 42	42
N ^o 43	50
N ^o 44	56
N ^o 45	60
N ^o 46	56
N ^o 47	45
N ^o 48	40
N ^o 49	16

14 Stephens lot
 N° 33 on the Tropa
 divide the
 Town of Plut 78 wide 200 long

main and West 1/2 of the 30 Division of the hundred acre lots within and by others and by whom chosen	60	50	58	48
1 Daniel Wood				
2 William Jordan				
3 Matthew Plank				
4 John Frankline				



width of ENT Division of lots

N ^o 1 ^{is} 100 fods and 1/2	N ^o 8 ^{is} 14 fods and 1/2
N ^o 2 - - - 39	N ^o 29 - - - 14
N ^o 3 - - - 23	N ^o 30 - - - 16
N ^o 4 - - - 22	N ^o 31 - - - 16
N ^o 5 - - - 20	N ^o 32 - - - 16
N ^o 6 - M - - 12	N ^o 33 - - - 18
N ^o 7 - - - 12	N ^o 34 - - - 20
N ^o 8 - - - 12	N ^o 35 - - - 22
N ^o 9 - - - 12	N ^o 36 - - - 22
N ^o 10 - - - 12	N ^o 37 - - - 20
N ^o 11 - M - - 10	N ^o 38 - - - 18
N ^o 12 - - - 8	N ^o 39 - - - 14
N ^o 13 - - - 8	N ^o 40 - - - 14
N ^o 14 - - - 8	N ^o 41 - - - 14
N ^o 15 - - - 8	N ^o 42 - - - 14
N ^o 16 - M - - 8	N ^o 43 - - - 14
N ^o 17 - M - - 8	N ^o 44 - - - 80
N ^o 18 - - - 8	N ^o 45 - - - 40
N ^o 19 - - - 8	N ^o 46 - - - 40
N ^o 20 - - - 8	N ^o 47 - - - 40
N ^o 21 - - - 10	N ^o 48 - - - 40
N ^o 22 - - - 10	N ^o 49 - - - 49
N ^o 23 - - - 12	N ^o 50 - - - 36
N ^o 24 - - - 17	N ^o 51 - - - 40
N ^o 25 - - - 73	N ^o 52 - - - 35
N ^o 26 - - - 73	N ^o 53 - - - 36
N ^o 27 - - - 17	

N° 50, 51 and 52 Lay lengthways in
on the River (the 3^d)
N° 53 1478 wide 200 long) Duration

Wright Larned 1871
 Alle Washington 1871
 Daniel Salliee 1878
 James Ship Compton 1879
 Stephen Hopkins 1876
 William Salliee 1877
 Edward Small 1878
 Joseph Tyler 1873
 John Phelps agent 1873
 Isaac Phelps 1873
 No 3, is 75 wide 20 long
 The Stephens on the
 Hope Black on the
 Town State

the above is the same
letter that is called
not Jacobson or
Queen's letter

Number and Name of the 3 ^d Division of the whole are lots in them and by Whom do we N.	Plots 21 to 200 long
1 David Wheel	60
2 Nathan Denson	60
3 Nathaniel Wheel	48
4 John Franklin	48
5 Benjamin Miller	48
6 William Hyde	52
7 John Hordy	70
8 Pelee	66
9 "	66
10 "	58
11 John Mear	48
12 John Henson	48
13 George Denson	70
14 Joel Thomas	70
15 Thomas Miller	58
16 Nathan Poy	58
17 John Hordy	58
18 Aaron Parker	60
19 Thomas Denson	70
20 William Hyde	58
21 John Allen	70
22 John Hordy	70
23 John Hordy	70
24 John Hordy	70
25 Pauline Cook	30
26 John Dowl	70
27 Nathaniel Cook	34
28 William Hyde	40
29 Pauline Dowl	80
30 William Denson	40
31 Nathan Miller	40
32 Richard Hordy	52
33 William Jones	60
34 William Jones	72
35 William Dowl	57
36 John Allen	47
37 John Hordy	43
38 John Dowl	44
39 Nathaniel Cook	60
40 John Hordy	81
41 John Hordy	48
42 John Hordy	42
43 John Hordy	50
44 John Hordy	38
45 John Hordy	60
46 John Hordy	38
47 John Hordy	38
48 John Hordy	40
49 John Hordy	40
50 Thomas Hordy	40
51 John Hordy	40
52 John Hordy	40
53 John Hordy	40



Fold-out Placeholder

This fold-out is being digitized, and will be inserted
future date.

from river to river, just north of the old burying-ground and the lot north of the Presbyterian Church. But by careful examination of the old surveys it appears that, for reasons unknown, there was a jog at the north of plot and at the south. According to these the north part of the Presbyterian Church property was lot No. 1; lot No. 3 was the present property of Mrs. L. M. Park (1907) and the numbers ran down the west side of Main Street to 26, now occupied by Dana J. Macafee. There seems to have been a street from river to river 60 feet farther down. Number 27 was the north part of property of Mrs. F. J. Cheney, 28 the Sawyers property, and so on up to the north line. A tiny little town, surrounded by forests, for even as late as 1825 the pines extended to "burying ground hill." The Harrisburg papers announced that "Athens was surveyed, and the allotments made in the Fall." It will be remembered that, room having been found for another township, a second grant of Ulster was made September 12, 1785. When Athens was allotted it was very soon discovered that Ulster overlapped the Point and interfered with the new township. Naturally, this was not agreeable to the newly-fledged Athenians, and the second alteration was made in July, 1786, entirely clear of Athens. But let us journey with the grant to Connecticut.

Franklin, Strong and Allen hastened to the meeting of the Susquehanna Company held at Hartford May 17, 1786, and probably extending over May 22, the date on which the Athens grant was recorded. Doubtless it was fully approved and confirmed in this meeting, where much important action was taken, so cleverly worded that one can easily read between the lines. After throwing a sop to Cerberus by voting to establish and confirm Pennsylvania settlers now actually inhabiting lands claimed by the Company, it was also

"Voted, that this Compy. Conscious of the Equity of their title to the lands *bona fide* purchased of the Natives, and Situate upon the waters of the River Susqua., will support and maintain their claims to the lands aforesaid, and effectually justify and support their settlers therein. * * * Voted, that Col.

chasers of the land on Susquehanna River as Contained in a deed Thereof from the Six Nations of Indians to Sd. Company att Their Meeting held by adjournment att Hartford April 12th 1769. Ebenr. Backus Com'tee Man Truly Recorded August 12th 1786 Test Sam'l Gray Clerk Sold by Dr David Adams to Dr Jedediah Ensworth See page 101."

³⁶ Zephon Flower was born at Hartford, Connecticut, November 30, 1765, the son of Nathaniel Flower, supposed to be descended from Lamrock Flower of Rutlandshire, England, who emigrated to America about 1685, and settled at Hartford. Zephon enlisted in the Revolutionary army when only thirteen, under Capt. Maxwell of the Light Dragoons. He served until the close of the war and received an honorable discharge. He was in none of the principal battles, but was wonderfully brave, had many hairbreadth escapes, and told thrilling tales of capture and recapture, of crawling through a port hole of a fort just as the gunner was swinging the loaded cannon into place to fire. And how once the young sentinel even dared to halt Washington himself, because he was passing the guard without giving countersign. The General halted, and after the countersign and salute in response, he tossed the lad a silver half dollar, saying "Good boy, good soldier." In 1785 he married Mary Patrick of Hartford, and removed to Stillwater, New York. In 1787, according to the records of the Susquehanna Company, he purchased one share in the Susquehanna Company, probably at Kingston, where he is said to have lived in 1788. However, other records show that he was with the party surveying the State Line in 1786. In 1791 he settled in Sheshequin, where he was made a Major in the militia. Soon he was living east of Athens on several locations then in town, where he lived for about twenty years, and ended his life in the home of his son, who purchased the Col. Franklin property. Major Flower was a noted surveyor, and was appointed Deputy Surveyor of Bradford County by Surveyor General Cochran. He laid out many of the early roads and helped to locate many obscure claims. He had a most estimable wife, and they raised twelve children, nearly all of whom removed to the West. Heloise is well remembered by the older boys and girls, who knew her as "Aunt Louiza Flower," and who were always treated to nuts and apples from the capacious basket invariably carried on her arm, and now in the Museum. Major Flower was the grandfather of Zephon Flower Walker.

John Franklin, Genl. Ethan Allen, Major John Jenkins and Col. Zebulon Butler be and they are hereby appointed a Committee with full power to locate townships & inquire into claims," etc.

Col. Franklin was appointed clerk of this committee and duly sworn. He was now armed with new authority, doubtless that he might be more efficient in erecting the new state, which has been mistakenly alluded to as to be called "Franklin." That was an utterly different venture, receiving its name from Benjamin Franklin.

William H. Smith, the justice of the peace at Wyoming, at this period was evidently, as intimated, acting as a State agent or a land jobbers' spy. He is the writer of the next letter in Archives (p. 760, Vol. X), which seems to fit in right here:

"To Corporal Montgomery, Sir. My conscience, my oath to the state binds me to inform, I wrote Esqr. Shaw informing of a Design of forming a new State, this is to include Wioming & the Genise and lands claimed by New York. The principal agts. live in New York and Connecticut. I am become acquainted with whole plan *by letters I have intercepted.* * * Colonel John Franklin and Captain Solomon Strong are principal actors. Strong lives in the State of New York, is now gone up to Wisock, where he pretends to have a large share in a town (he had, with Hogaboom, about one-third of original shares). Strong has told me and a number of others that he went twice to Vermont before he could prevale with General Allen to come to Wioming."

After an obscure statement concerning Allen's presence, and the report that Allen and Franklin had gone to Connecticut to attend a meeting, he continues that when he and his associates

"Get orders from authority we will Take and deliver at Sunburey the following persons, Ethan Allen, John Franklin, Solomon Strong, James Fin, John Jenkins, Christopher Holbert. Their designs is if possible to persuade the people on the West Branch to joyn them. Franklin & Jenkins did engage James Fin, a Baptise Minister some time Back to make a visit to the West branch to preach about amongst the people there, and feale out their minds in regard to a New State. If Allen, Franklin & Strong were removed the others would do but Little; * * they have some ammuniion stored, and some provision in store. * * Allen and Franklin and Strong have used many arguments and stratageims to seduce the people and prejudice them against Pennsylvania. I have put up many advertisements urging the people to attend to their duty. Allen and Franklin and Strong made it their business to go and pul down my papers, and repeatedly threatened my life. * * *

"Sirs, we the undersigners are with Esteem your most obedient humble Servts.

"WM. HOOKER SMITH

"SAMUEL HORNER

"ABRAHAM WESTBROOK."

"May 14, 1786."

The next letter from the Archives is from Wm. Shaw to Pennsylvania Executive Council, dated May 18, 1786. Shaw was evidently one of the secret agents of Pennsylvania, who at this time became alarmed and left Wyoming. He states:

"The inhabitants (of Wyoming) in general appeared desirous of being Citizens, until unluckily on the 27 (April) Col. Ethan Allen came to Wyoming who alarmed them by telling them he despised their treating with Pennsylvania, that he had formed one new State, and with one hundred Green Mountain Boys and two hundred Riflemen he could make that a new State in defiance of Pennsylvania. The Schemes of the Proprietors of the Susqua. Co. is discovered by the inclosed copy of a letter from Joseph Hamilton to John Franklin (the one given above) Which perhaps might be good policy to prevent by raising and sending some men there (Tioga Point), etc., etc.

"WM. SHAW."

The President of Court of Common Pleas of Northumberland County, Wm. Montgomery, to Council, May 20, says:

"A meeting has been held of Justices, Sheriff, etc., who decided that no time, not a moment should be lost; that there is the greatest and most eminent danger of a dismemberment of the state; that the party under Ethan Allen, John Franklin & Solomon Strong increase daily. Their most limited pretensions extend to the whole of the 42 Degree of Latitude. * * * No person in the state can hope to continue a Pennsylvanian without the most speedy, effectual and vigorous exertion of Government in suppressing this dangerous insurrection."

The same day he writes to C. J. McKean once more, sending a copy of Hamilton's intercepted letter, saying:

"We are informed of some of the active persons, the expected arrival of Col. Ethan Allen since writing which Allen has arrived, talks freely of a New State, and he in conjunction with Franklin and Strong are gone about a week to meet the Susqua. Co. to consult what measures are next to be pursued. We find they have some ammunition and stores laid up. * * Can Pennsylvania submit to this; she cannot; Surely our yeomenry will not longer say *it is a Land Jobing Quarrel*. * * it is now become a serious Governmental concern," etc.

May 20, 1786, Thomas Grant writes to Benjamin Franklin; reports making some arrests at Wyoming, especially John Paul Schott, who was evidently wholly in sympathy with half-share men. Grant also says:

"It is now known publicly that their intentions are to form a new state. Ethan Allen with a great number of new adventurers are at the head of this business & since their arrival every idea of submission to the Laws of Penna. has vanished."—Archives, Vol. XI, page 111.

The next communication is from Benjamin Franklin, then President of Council, and insinuates non-approval of the visit of sheriff to serve writs of ejectments. At the same time he writes a very conservative letter to Montgomery, showing plainly that he either discredits the incendiary letters, or thinks it still a private quarrel. It is thus seen that the great Benjamin Franklin was most actively interested in early Athens.

Let John Franklin tell what he did after the Hartford meeting, in a letter written from Armenia, N. Y., June 8, 1786 (see p. 3, Vol. XI, Penna. Archives):

"Dr Doctor (Hamilton). I left Hartford last week Wednesday, and am now on my journey to Wyoming. I expect you have received my letter. * * * Congress has accepted the Cessions from Connecticut, I expect that to be a Confirmation of our title. Nothing further done in assembly * * * thought best to rest quiet * * hold fast, etc. I have been to Windham, Esq Gray had no Blank Certificates. I send you ten full Shares, I take a receipt from Esq. Beach and expect he will take one from you, he will also send you 15 shares. Esq. Gray thinks best to issue no more Certificates at Present as 300 have already been delivered. Should it be necessary others may be Issued. It is best to take care how lands are disposed of. I find that Esq Gray has given out nearly 50 half Shares to persons to repair to Wyoming and Continue three years, that no condition is mentioned in Certificate and that not more than 7 of those Persons are in that Country, which I conceive to be an argument that it's best to be careful. The 400 half shares are not all taken up—it's thought best to fill them—*let those who are disposed to become Adventurers have a recommendation to repair to Wyoming, to receive certificates from the Committee on the spot.* I would wish to have every Plan put in execution to get on settlers." (Note here it is to be observed he incloses some sentences in quotation marks, which

we must infer is blind writing again.) "I hope you will procure the Physick and Pills you talked of at Hartford, and send the same on. I can administer them if necessary, though I have not the Theory of Physick, I profess to know something of Practice." * * *
 "JOHN FRANKLIN."

We suppose the medicine was further ammunition for the Wild Yankees at Athens. It would be interesting to know just where these arms and provisions were stored. The following letter from the Archives is here very illuminating:

"June 27, 1786.

"Sir, It Remains no Longer a Doubt with me that this Bandity at Wioming is determined not to Subordinat to the Laws of this State. You will observe by the enclosed paper Sign'd Franklin hes assuming authority. * * * Franklin is lately arrived at Wioming from the State of Connecticut from the meeting of the Susquehanna Company. *Ethan Allen is Expected Soon*. Franklin assumes more authority and more positive. Dispises the Laws of this State with more Contempt than formerly; to be particular in Regard to this Bandity, time will not admit. From many Circumstances I am now Convinced that the people will Declare a New State, or pretend the Laws and Regulations of the State of Connecticut. * * Nip the Bud when young. I fear it has been neglected in this case.

"JOHN VAN CAMPEN."

"To the Sec'y of Council."

July 20, a meeting was held at Abel Yarrington's, Wyoming; evidently a secret meeting, an account of which is furnished by some spy, probably Smith again. He says:

"In the first plase Franklin read the Doings of the meeting lately held at Hartford, etc. Obediah Gore had a number of votes done ready for the people to vote to in sd. meeting, which was that the peopel had good write to their Lands, etc. * * 20 or 30 half shear men voted. * * Franklin & Beach told the meeting in case they gave up their Indian Deed they would all be turned of amediately." * * (Pickering says "but 60 were present, settlers from Tioga downward.") "John Jenkins then swore in the Most Sacred Manner that in case the Peopel should appoint any other agent But what should be chosen by that meeting, he would send them to the Eternal Shades of Darkness, * * he would destroy both men women and children * * and take their effects."

August 10, Wm. Hooker Smith is at it again in a most amusing letter to Vice-President Biddle. Smith claims that the above meeting was deliberately held in his absence, and that while many withdrew on hearing purport of it; that Franklin and Jenkins pushed on the business; he also says:

"The conduct of Capt Schoots is amasing to us, he appears of late to be on the side of Allen, Franklin, Jenkins & associates. Wrights Pretty Largly & is Paddling about with Franklin and Jenkins in the Land Jobing way. They chose at that meeting Franklin and Jenkins for agents. (*There unquestionably was intimidation at this meeting.*) The settlers have been deprived of their arms, the half share men are well armed. Franklin brags they can have from west Branch 1000 men, from Delaware 500, from Vermont 1000, such Reports intimidate * * the people were all in a Tumult. Franklin has had of late a request of powder; we *had* three Cannon at Wioming, which is Either secreted or sent to *Tioga* (Point)." * * *

Accompanying this is a letter, saying:

"Doctor Smith is obliged to fly. Franklin and his party have knowledge of his informing the government of Hamilton's letters. Franklin and Jenkins have given out most shocking threatenings."

Franklin and Jenkins attended assembly about this time and made a claim for the whole Indian purchase, as is recorded in following exultant letter from Franklin (October 2, 1786) to Dr. J. Hamilton:

"Sir. As you are fond of news I send enclosed a few lines for your perusal. the following Copies viz 1st *Copy of Dr Smith's Dismission.* * * I had the pleasure of stating our whole suffering to the Council. * * I left no Stone unturned * * waited also on Benjamin Franklin and told the whole story."

Curiously enough, in this letter Franklin appears to repudiate the new state cabal. But unquestionably he was now playing a clever game. He says the assembly did not confirm the Connecticut title, however, although they ignored the complaints of Smith and associates, informing Franklin they were not worthy of notice. At this time (September 25, 1786) the county of Luzerne had been erected, and Col. Timothy Pickering, the eminent Pennsylvanian, was appointed to organize it, and at once removed to Wyoming, as already told. This act caused heated discussion; Pennsylvania was still distrusted, Franklin and Jenkins still active, Athens and vicinity filling up with half-share settlers.

November 7, 1786, Franklin writes again to Hamilton, telling of a meeting held by the settlers the previous day, saying, "That old Traitor Smith made his appearance."

December 13, Gov. Clinton, of New York, writes to Benjamin Franklin that he was informed in summer previous that Ethan Allen had left the Susquehanna without being able to effect the object for which he went thither. Pickering writes that he has met Franklin, outwardly very amicably. Says half-share men were not all newcomers, but that many dissatisfied Wyoming settlers enlisted as half-share men, of course getting land free. This was the case with a number of the first settlers at Athens.

Now occurred what Miner calls "*The last grand movement of the Susquehanna Company*," having in view defiance of Pennsylvania and the erection of the new state. Pennsylvania had a right to regard this as treasonable. Franklin and his associates, by reason of the unendurable oppression of Wyoming settlers, believed their act justifiable. Once more a meeting was called of the Susquehanna Proprietors, who had been greatly "reinforced by men of genius, literature and politics." Pickering says the New York men, mostly from Hudson, were usually called the "York lessees" (McKinstry, Hamilton, Benton and others). The proprietors convened in the court house at Hartford, Conn., December 27, 1786. The full proceedings are to be found in Vol. XVIII, 3d Series, Archives. A large commission was appointed from Connecticut, Vermont, New York and Pennsylvania to adjust all claims in the purchase, grant new townships, etc. Joel Barlow, afterward minister plenipotentiary to the Court of France, acted as secretary.

On the very same day, in the Assembly of Pennsylvania, a supplement was passed to the act establishing Luzerne County; and appointing Timothy Pickering, John Franklin and Zebulon Butler to arrange

for an election of Counsellor, etc., to be held February first, 1787. Naturally, Franklin was not in sympathy with this, and used his influence in every way to prevent the election. However, it took place. Franklin absented himself; yet there was great excitement. Who would not have liked to have seen Zebulon Butler on his war steed, riding up and down in the crowd, crying, "*I draw my sword in the defense of the law, let every lover of peace and good order support me!*" Those were indeed stirring times.³⁵ Franklin was chosen member of assembly. It was at this time Mrs Perkins says "Franklin spurned the nomination, and set about founding an Independent State Government."

In March, 1787, the Confirming Law was passed, adding fuel to the flame.

The following letter, probably hitherto unpublished, is from the autograph collection of Gilbert S. McClintock, of Wilkes-Barré, by

³⁶ The following address was evidently made soon after the election, on learning of the proposed Confirming Law, and well defines the Connecticut point of view:

"Address of Captain John Jenkins at Forty Fort, in February, 1787.

"We will gladly accept any proposition that will bring peace, quiet us in our possessions and protect us in our titles. This is all we ask now; it is all we have asked from the beginning. Suppose we accept of the terms proposed, what guaranty have we that Pennsylvania will keep her plighted faith? She has forfeited her honor to us time and again. If we accept the provisions of the proposed law, when she finds we are tied hand and foot, she will repeal it and leave us again without remedy or hope, except in ourselves. We have repeatedly had assurance of the desire of Pennsylvania to have this controversy settled, but the measures proposed and the men sent here to effect such settlement have shown us that they will never be satisfied except with our expulsion from our lands, and our total ruin, which we will never agree or submit to. Our fathers have been imprisoned, robbed and whipped by the Pennsylvanians; our public papers have been taken wickedly from us; they have plundered our settlements, burnt our towns, taken the lives of our friends and brethren; driven our old men, women and children into the wilderness at the point of the bayonet, with circumstances of cruelty and perfidy scarcely paralleled in the most barbarous ages, and totally unworthy the lead of a civilized State or nation. We have petitioned in our most humble terms for a redress of our grievances, to be secured in our property, our lives, and our possessions, and our petitions have been treated with insult and contempt, and been rejected. They still continue in their endless persecution with obstinate fury and uncontrollable oppression."

"And yet in the face of all these facts, all this perfidy, all these crimes, we are again called upon by their perpetrators to give up our titles, and all claims and rights under them, and rely upon the clemency of Pennsylvania for any future titles or rights to our lands. God forbid that we should be foolish enough to do anything of this kind. The blood of the martyrs who have fallen in defence of our rights would cry to us from the ground should we permit their widows and orphan children to be driven from their home and possessions out into the wide world to perish or become a public burden."

"What new plan do they propose to us now? Nothing but to quiet us in our possessions for a short period until we give up our titles and they can devise and put into execution some new plan for our expulsion. We have too often experienced the bad faith of Pennsylvania to place confidence in any new measure of her Legislature, and if they shall enact a quieting law they will repeal it as soon as the Connecticut settlers submit and are completely saddled with the laws of the State. What security have we if we comply with their proposals and put ourselves in their power, that the State will not repeal the law and deal as treacherously with us as in the case of Armstrong?"

"The only safe course for the settlers to pursue is to stand by their titles and possessions until Pennsylvania shall find it to be her interest to do them justice by acknowledging their rights and establishing them thro' proper legislation. Whenever she shall do this, there will be an end of the controversy. If it be the disposition of the General Assembly of Pennsylvania to do us justice, as stated by Colonel Pickering, she can do it in that way, and thus end all further trouble and annoyance to either party. But the proposal is to bind us and leave Pennsylvania free, to have us surrender our titles and trust to Pennsylvania for another, and as the gentleman says, a better title. This we will never submit to. We have fought too long, and shed too much blood of our best inhabitants, and sacrificed too much in defence of our titles and possessions to tamely yield them up to the threats or entreaties of Pennsylvania, and we will never do it. All we ask is justice, and that is in her hands to grant at any moment. If she will not grant us this she will have to put up with the consequences."—Pennsylvania Archives, Second Series, Vol. XVIII, p. 666.

whose courtesy it is reproduced. It shows that the great statesman was very confident that this law would adjust all difficulties:

"In Council, Phila. April 4, 1787.

"Sir, With this you will receive a Number of printed Copies of an Act of Assembly lately passed, respecting the Settlers from Connecticut in your County. The Spirit of Condescension and Good-Will of the Legislature towards those Settlers manifested by this Act, in attending so readily to their Petitions, and in giving them so fair an Opportunity of establishing their Claims and quieting their Possessions for themselves and their Posterity, will we are persuaded have its proper Effect on the prudent and reasonable Majority, who can set a just Value on the Blessings of Peace and Good Government, and we hope therefore that the Endeavours of a few restless Individuals, if such should remain, who may expect to find their own private and separate Advantage in public Troubles, will not have any Effect in disturbing this Commencement of Harmony, which in its Completion will secure to the Inhabitants not only the Lands that have been in question, but the additional Advantage of our excellent Constitution, and the Protection of one of the principal States in the Union. You will observe the Directions of the Act in making it publick; and you may assure the People that the good Disposition of Council towards them is not inferior to that which has been manifested by the General Assembly. I am, Sir,

Your humble Servant,

"B. FRANKLIN, Presdt."

"To Lord Butler, Esquire, High Sheriff of the County of Luzerne."

John Franklin advised non-conformity to this law, rather than open resistance. Now he had deserted his Wyoming home, and was building a house at Athens, near the river, on the lot next south of the Academy, rented or sold by Hollenback or Lockhart two years before. This choice of location seems a special defiance of Pennsylvania.

The land jobbers about this time tried to bribe Franklin, "offering a sum of money sufficient to make him and family independent for life if he would quit the country and not return." After two attempts he cautioned them never to repeat them. His journal for this period shows that he was busy, every day, persuading the settlers to avoid the commissioners and ignore the law. He traveled up and down the valley between Wyoming and Tioga Point, stopping at the house of every Connecticut settler. When his tall form was seen, the cry went forth in house and field, "Franklin is coming;" all work was laid aside, indoors and out, while once more he rehearsed their wrongs, persuaded them to resist the law, and fanned their fury into flame.

The new state was now very near erection. A constitution had been drawn up by Oliver Wolcott.³⁷ (Would that a copy of it could be found!) William Judd was to be Governor, and Franklin, Lieutenant-Governor. One who saw it says³⁸: "I well remember it commenced like the Declaration of Independence, by setting forth a series of wrongs, or a declaration of rights, justifying their deed; and then came the organization, etc." Pickering himself says: "Had Wyoming, with its dependencies, been situated as near to the northern

³⁷ Oliver Wolcott was afterwards Governor of Connecticut. Miner well says, "Such men did not move without high purpose and elevated aim."

³⁸ Miner says that in 1803 or '04 Gen. William Ross was in New Haven and was told of the new state project as an assured fact. Miner also questioned Capt. Richards. His reply was prompt and distinct as to remembrance: "Yes, perfectly familiar to me. Capt. Judd showed me the draft of the Constitution. It was drawn up by Oliver Wolcott."

hives (New England), it would at this day have constituted another Vermont."

Here are extracts from a letter (in collections of American Philosophical Society) relating to Athens, and scoring Obadiah Gore, who had grown weary of the contest and proposed to conform to the laws of Pennsylvania. This was written to Dr. Hamilton by Col. Franklin:

"April 29, 1787. I fear you have put too much trust in Esq. Gore. You may depend that he will sacrifice the company's interest to secure his own. * * * I should have a greater esteem of him if he had laid aside muskrat traps, and assisted us in time of trouble. He is willing that Pennsylvania shall have the town of Athens, and cheat those of us who have been the salvation of this country out of our lands. Ingratitude blacker than Hell! Perhaps he may curse the day he was born before he will accomplish his designs in that respect."

Among these Mss. is also a petition dated February 5, 1787, to Assembly of Pennsylvania, signed by 131 inhabitants of Luzerne, *residents of upper townships*, of course, in connection with Confirming Law. The agitation over this law led to the proposition to assemble and talk over the matter.

Accordingly, in May, 1787, a public meeting was called at old Forty Fort (see Miner, p. 411, and Fisher, p. 309). Miner says, p. 411: "So great a gathering had not been known in the Valley for years." Col. Timothy Pickering appeared for Pennsylvania; Col. Franklin, supported by Simon Spalding and Elisha Satterlee, spoke for Connecticut. The trouble and distrust of the Connecticut people may be shown by the outburst of Stephen Gardiner in reply to a speech in which Pickering pledged his "own honor, dearer than life," that Pennsylvania was honest in her purpose. "Your lips speak fair," exclaimed Gardiner, a Connecticut man, "but O, that there was a window in that breast, that we might read your heart!" Franklin was the last speaker, so bitterly eloquent that Matthias Hollenback's suppressed passion gave way, and he aimed a blow at Franklin with the butt of his riding whip. A friendly hand intervened, but the meeting degenerated into a riot. All rushed to the woods close by, cut sticks, and turned on each other with savage blows. In spite of this commotion, a disorderly vote was taken to support the law. Franklin and the wild Yankees continued nevertheless to defeat the measure in every way.

This is the time when Miner says Ethan Allen appeared in regiments, etc. If so, it was his second coming, possibly to reconnoitre and concert further measures.

"Allensburg on the Wyalusing was a grant to Gen. Ethan Allen of several thousand acres for his expected aid in 'the grand scheme of treason and rebellion,' as it was called by Pennsylvania, and of just resistance to unendurable oppression, as regarded by Connecticut."

May 10, 1787, Col. Franklin appeared before General Assembly at Hartford, and presented a memorial in behalf of the Susquehanna and Delaware inhabitants, with 80 signatures, setting forth that the Penns by their agents had by accident become possessed of the Indian deed, and other important evidences of the Connecticut title, and had purposely secreted them at the time of sitting of commissioners at

Trenton. The Lower House took favorable action on this memorial, but the upper House refused to concur. Franklin's hopes were again blighted.

That affairs increased in seriousness is evinced by a letter, which seems to have been unpublished, found at Harrisburg (October, 1907). It was written by Pickering to Benjamin Franklin August 13, dated at "Wilkesburg." Extracts:

"Peace of country depends on immediate execution of confirming law. * * * John Franklin and his adherents are very industrious to infuse suspicions into the minds of the settlers that the law will never be carried into execution; * * * misled by Franklin's protestations and falsehoods, execution of laws is more difficult."

This being considered in council on September 1, a letter was sent to Pickering, enclosing a warrant to apprehend Franklin, but leaving it to his discretion to have it executed or suppressed. Evidently the time was not ripe, or Pickering thought it wise not to assume the responsibility.

You may say, we are wandering far from Athens, but *this is the history of Athens*. Unquestionably, Tioga Point now was the high seat of treason; and after this meeting just recorded extra efforts were made to push the settlement. Listen to this letter from one of three Hudson men, who were as ardent land jobbers as any in Pennsylvania, and who at this time used John Franklin as their tool:

"August 9, 1787. Sir, I have carefully perused yours dated the first, and think your policy good—with regard to letting the Towns on the Tioga, I think it best that it should be done immediately. You requested me to repair to the Tioga without loss of time. * * I am sensible that if I at present leave home for any considerable time, there will be no possibility of my throwing on many settlers this Fall, for which reason I shall not go on at present, but exert myself to the utmost to throw on settlers * * and fix a plan to fill the country in the spring—your policy will undoubtedly induce you to not suffer provisions to be carried from your settlement, but above all I most earnestly advise you to crush your enemies, & pursue them to the pit, & depend, I Will assist you so far as in my power, & shall expect that when I hear from you again, there will not be an Acan found in your Camp & trust you will not suffer the unhallowed feet of a Penimite to tread on the Land which the Lord hath given you. I am Sir
"yr mo. obedient humble Servant

"CALEB BENTON."

"N. B. Please to present my compliments to Major Jenkins & inform him I am determined that his God shall be my God."

It was this same week that Pickering wrote to Benjamin Franklin. The Vice-President of Council replies:

"We have been informed that some people at Hudson, N. Y. are determined to oppose the execution of the law * * you had better be on your guard."

Soon a new phase of controversy arose: the quarrel between the *whole-share old* settlers and the *half-share new* settlers. This was actively in operation at Wysox, which was held by Hudson people as "Strong and Hogaboom's town," to be settled only by half-share men; while many old settlers from below wished to locate there. Pickering thought this special quarrel was also on at Tioga, and possibly this might account for the varied lists of original proprietors of Athens to be given in a later chapter. It is noticeable that the name of

Athens does not occur in any letter or records of Pennsylvania; it was always Tioga or Tioga Point. Athens was the Connecticut name, therefore ignored. Would that the Point might be pictured as in 1787, with the cannons, ammunition and large stores of provisions; but no scrap of paper has been found concerning this period. How carefully they covered up their tracks! There seems to be no Matthewson papers in existence, and Elisha Satterlee's house was twice burned. But there are plenty of the *intercepted letters* to tell the tale; three from Hamilton to Franklin, September 8 and 10, 1787, offering to rush in settlers for any new township, deploring hesitancy, urging audacity, abusing Pennsylvanians, also saying:

"But if you should in proper time afford a manly resistance * * my desire is that you should reserve a handsome seat on the Tioga point, for we think it policy in such case that either Dr. Benton or myself should remove to that place in the Spring to continue there." At the close of a fiery letter, anticipating being called a coward for not going to the scene of action, he writes: "If you can contrive any way that I may do justice * * I will be with you * * but then you must make a noise—I will not die such a tapering death." (Pages 184-5, Vol. XI.)

The following is evidently again a blind letter, yet it is easy to read between the lines that a sudden uprising was planned, a quick and bloody conflict, and Pennsylvania beaten. Listen:

"You say you cannot conceive from whence my fears arose. I will tell you sir how it is—leading characters here will believe that you never will be able to *Klink* up a Bubbery there, and until that is done they will not venture any further part of their property or character, so that you readily see your schemes are at an end. * * Moreover if I should tell them there was something about to be done which would be *dangerous*, our enemies may take the hint too soon." (His allusion to the practice of Physic very evidently means fighting.) "I think you harbor in your country a curious monster of two heads in one body * * * two sets of Commissioners granting the same lands, *which you allow*. Gore said in his letter to me as soon as they meddled with the title of lands, he would find Indians enough to protect them. *Where are Gore's Indians?* are they scattered away by his new settlers at Newtown?"

September 5, 1787, Pickering wrote to Benjamin Franklin as follows:

"Franklin & Jenkins were at Tioga last Monday; and on Tuesday were to sit with Beach and others to receive and examine the claims of the inhabitants in that quarter to the lands in their possession; agreeably to an advertisement posted up at Tioga by their order. A Col McInsee (McKinstry) from Hudson, and one, Allen (Nathaniel) from Rhode Island are said to have met them there. I have a deposition declaring that one of their company confessed that their plan was to erect an independent state."

The most amazing story of all is Samuel Gordon's of

"The long visaged scotchman who informed me their intention was not to ask the protection of any state, that they meant to govern themselves, *and, if molested* protect themselves against *any or all of the States. If they found themselves unable to stand against the States, call for the assistance of the British;* being an independent people they would have the right to request and receive the Protection of any Power."

This Scotchman exhibited a writing, signed by McKinstry and Allen, signifying each settler should have a certain quantity of land gratis, etc.

And so it seems Tories and Indians were to be called into use once more. All this agitation clustering around Tioga Point, of which we were thinking of saying (after the manner of former historians) it was peacefully settled by so and so, little dreaming of all these hidden schemes.

Now Benjamin Franklin, in alarm, appeals to Governor Clinton of New York, informing him:

"A number of disorderly People are collecting near the State Line, * * their numbers daily increasing by *vagabonds from all quarters*, and that they expect Reinforcements from Shays late Partisans, and purpose defending their proceedings by force of arms. Such a body of Banditti may be capable of mischief. * * * Some of whose leaders are said to be Inhabitants of New York * * best to have a conference." (Page 187, Vol. X.)

Pickering says of John Franklin at this time that "he is possessed of some art, and of *bravery to desperation*." He had the desperate boldness to send orders in writing to his adherents (signed "*Colonel Commandant*"). This was disclosed in the following letter, written a few days previous to Franklin's arrest, addressed to Col. Zebulon Butler at Wilkes-Barré:

"Wyalusing Sept 29, 1787.

"Sir, I think it prudent to inform you that Mr Franklin has sent circular letters to his associates up the river, urging them to equip themselves complete with arms, one pound of Powder & four pounds of lead, & repair to Wyoming, there to oppose the election next month. If you think you are not able to oppose force to force, I presume to think it would be best to outgeneral him by secret adjournments. They are determined to lay hands on all public papers in the commissioners hands, therefore think it would be best to secrete them. His friends are numerous, occasioned by the faithless conduct of some Pennsylvania gentlemen, formerly sent to treat with them, who violated every agreement they entered into, which will be made use of as arguments to keep the people's minds alienated from the Government of Pennsylvania. I am sir your obliged

"Humble Servt.

"SAMUEL GORDON."³⁰

Matters had now reached a crisis; the whole country was in confusion. The upper townships were filling up with the wild Yankees. It was estimated there were at least 10,000 in the valley from Wyoming to State Line, "ready to come out with their swords and defend it against the world." Another civil war seemed imminent. The State, as well as the land jobbers, was now thoroughly aroused.

³⁰ The originals of these circular letters are still in existence in Harrisburg, and have been seen by author; one is addressed to Mr. Jehiel Franklin:

"Wilkes-Barré, Sept. 25, 1787.

"Sir. You are requested to give notice to the half share men and settlers at Waysocks and Towanda who expect to support their lands under the Susquehanna Company that they appear at Abel Yarrington's in Wilkes-Barré on Tuesday 9th Oct. next at 9 o'clock in the morning, compleat in arms and equip'd. John Franklin, by order of the Companies' Commissioner.

"N. B. You will direct such persons to give the warning as you think proper.

"Later. Mr. Franklin, Sir, You are requested to notify all half share men that they meet at the house of James Lessley in Hanover on Monday 8 Oct at 9 in the morning completely arm'd and equip'd as that is the day the Pa. Loyalists intend to regulate their militia to subjugate us which we are determined to prevent.

"JOHN FRANKLIN, Col. Com'd."

Concerning Franklin's attitude, it is interesting to read his letter of the preceding year, to William Montgomery, to be found on page 656, Pennsylvania Archives, Second Series, Vol. XVIII. Many other papers of great value as regards the controversy are to be found in this same volume, which is well worth studying.

The following excerpts from the minutes of the Supreme Executive Council of 1787 show what was done:

"Sept 22. Several papers containing intelligence of an armed banditti having assembled at Tioga, within this State, in a riotous manner, with an intention to resist the Government, were laid before the Council; and On consideration The President was desired to write a letter to the Governor of the State of New York, inclosing the said papers, and requesting the concurrence of the Government of that State in concerting measures for effectually suppressing the rioters; and also that our Delegates in Congress may be permitted to hold a conference with him for that purpose. A letter was written to the Delegates of this State in Congress upon the same subject."

A few days later a draft of a proclamation was read and approved by council, offering \$400 for the arrest of John Franklin; \$200 for John Jenkins, and \$200 for Zerah Beach and John McKinstry, or \$100 apiece for the latter; and charging all Judges, Justices, Sheriffs and Constables to make diligent search and enquiry for these men. There is also recorded an apologetic letter to council from persons who indulged in a riot at time of Franklin's arrest, "supposing he was carried off without the authority of any regular writ or warrant," and expressing regret for their misconduct.

A warrant was now issued, as follows:

"Instructions to Col Jno. Craig 1787 In Council

"Sir, You are to take what number of militia you think necessary and proceed with the greatest dispatch to Wilkesbarre in the County of Luzerne. When there *if you think necessary* consult Col. Pickering on the best method you can take to apprehend John Franklin, John Jenkins, Zerah Beach and John McKinstry. * * * If you take Franklin at Wilkesbarre do not proceed any further, or run no risque of losing him by endeavoring to apprehend the others. * * *

A notice was also sent to Governor Clinton of New York in case they had escaped over the State Line.

Manifestly, the only way out was to dispose of Franklin, the beloved leader. Since he could not be bribed, he might be imprisoned. Therefore, October 2, 1787, he was arrested on the charge of high treason, carried to Philadelphia, and thrown into jail, heavily ironed. It seemed an abominable proceeding, but he dealt with it lightly in after years; he says: "I resided nearly 2 years in Philadelphia from October, 1787."

Thus ended the great project, and thus the high hopes concerning Athens fell, although we conclude from the following that affairs were still serious, and that the New State project lingered after the arrest of Franklin, for Benjamin Franklin, then Secretary of the Commonwealth, sent the following letter to the Council then in session, November, 1787:

"Gentlemen, Since the last session, there has been a renewal of the disturbances at Wyoming, some restless spirits there having imagined a prospect of withdrawing the inhabitants of that part of the State, and some of the State of New York from their allegiance, and of forming them into a new State, to be carried into effect by an armed force in defiance of the laws of the two States. Having intelligence of this, we caused one of the principal conspirators to be apprehended, and secured in the gaol of this city—and another who resides in the state of New York, at our request has been taken up by the authorities of

that Government.⁴⁰ The papers found on this occasion fully discovers the designs of these turbulent people, and some of their letters are herewith laid before you. * * * To protect the civil officers of our new Court of Luzerne * * we have ordered a body of Militia to hold themselves in readiness to march hither. * * *

"B. FRANKLIN,
President Supreme Ex. Council."

Probably it was at this time that the following was found, maybe one of the papers to which B. Franklin alluded:

(Supposed to be "Wild Yankee League.")

"Combination of Settlers and Purchasers of Susquehanna Company, 1787.

"Whereas, we the subscribers being proprietors, purchasers and Settlers of a tract of Land known by the name of Susquehanna purchase, and are in consequence of a Royal chartered right, together with that of an absolute purchase from the aboriginal proprietors (with our associates, to wit, the Susquehanna Company) in possession of the whole of the aforesaid purchase; and whereas the settlers and their associates are & were joint tenants of the whole Territory of Country aforesaid, & the possession of the settlers is & ever hath been the possession of themselves and their associates agreeably to the observation of a celebrated Law writer, who saith that a possession of a part in the name of the whole is a possession compleatly for every part. And whereas the aforesaid Company of which we are a part, were the first in possession & occupancy after the aboriginals, & neither have been or can be legally dispossessed by any Tribunal short of a Federal Court instituted agreeably to the articles of confederation; it therefore follows that no one State in the Union has a right to determine the title or right of possession to any of the lands in the aforesaid purchase until the institution and exercise of a Federal Court as above mentioned. Therefore we humbly, jointly, & severally pledge our honors & all our properties, real and personal, that we will use our utmost exertions for the protection and defence of each other in the possession of the lands aforesaid against all invaders, & also for the defence of all such as will join with us in this combination, & that we will unequivocally adhere to everything comprized in the foregoing declaration. We also hereby declare to the public that we will lay no claim to the lands under any other title but that of the Susquehanna Company in the before mentioned purchase. In testimony whereof we have hereunto voluntarily subscribed our names.

"*John McKinstrey, *Zerah Beach, Benjamin Allen, *Thomas McClair (McCluer). *Eldad Kellog, *Chester Bingham, *Stephen Fuller, *Lebbeus Hammond, *Benjamin Clark, Jeremiah Skeer, *Joseph Spalding, *Joseph Kenney, *Samuel Gore, Peter Dounou, *Waterman Baldwin, *John Spalding, *Joseph Marshall, *Avery Grove (Gore?), John Cole, *Simon Spalding, Abel Maringer, Thomas Spalding, *Abraham Brokaw, *Samuel Southard, Othriel Campbell, Abraham Spalding, John Garey, Thomas Brown, Simon Shepard, Jas. Therinton, *Solom'n Bennett, *Joel Thomas, Joseph Thomas, Jos. F. Thompson, James Fanning, *John O'Neal, Jas. Dolson, Stephen Dolson, Jno. Moorecraft, John Kortwright, Jacob Collins, James Whitney, *Jacob Snel(f), Christian Kress, Nathan Herrington, Chornelius McDanul, Nicholas Depui, junr., Peregrine Gardner, John McClure, *John Fuller, Samuel Bewellman, *Jon'n Harris, *Jon'n Harris, Jr., Martin Young, Walter Walrue, *Abm. Minur (Minier?), *Joseph Tyler, Alexr. Simpson, Jr., Jacob Kress, *Nathan Herrington, Jr., Moses Depui, Jacob Herrington, *Prince Bryant, John Simpson, John Simpson, Jr.

There is no date to the foregoing, but it is recorded in the Letter Book immediately after the preceding letter, dated October 6, 1787.

⁴⁰ Pickering tells of this: "I have the pleasure to inform you that Dr. Hamilton has been taken with a budget of letters and papers, showing his own and Franklin's treasonable practices. Hamilton you perhaps know wrote three of the letters which were taken with Starkweather, and has been Franklin's principal correspondent in York State." The letters in Archives are all those that were intercepted. Jenkins, Beach and McKinstrey escaped arrest. It has been generally represented by historians that Timothy Pickering arrested Franklin on his own responsibility; the foregoing orders prove this false, yet the order of arrest (according to letters in Harrisburg) was sent to him, instructing him to use his own judgment as to its enforcement.

By this list it will be seen that a good many of the former settlers of Athens were concerned in this league, known as the "Wild Yankee League," a term, the origin of which is unknown, though one letter in the Archives alludes to the band as "Wild Boys." A star marks the name of every one connected with this vicinity; errors in spelling render some names difficult to recognize. The second Harris is doubtless John, Jr., as there were not two Jonathans.

Simon Spalding was said to have opposed the league, but here is his name. Look in vain, however, for Franklin, Satterlee, Swift and Matthewson. Inexplicable omission!

Alexander Patterson called the Wild Yankees "Franklin's Ravengers." What the Press thought of these proceedings may be learned from the *Independent Gazetteer* of 1787, the second daily newspaper published in the country. (The following extracts were furnished by the late A. S. Hooker, of Troy, for the first numbers of the *Athens News*.) Mr. Hooker wrote:

"First in the yellow pages of the little bound volume, appears an Act of Legislature March 28, 1787, for ascertaining and confirming to certain persons called Connecticut claimants the lands by them claimed in the county of Luzerne, consideration of the claims to take effect in May at the house of Col. Zebulon Butler in Wilkesborough (Wilkes-Barré), Peter Muhlenburg and Timothy Pickering being Commissioners."

The *Gazetteer* of September 3, 1787, has the following:

"We learn from Wyoming that a dangerous combination of villains composed of runaway debtors, criminals, adherents of Shays (who a short time ago raised a rebellion in Massachusetts, suppressed by the Government with bloodshed), etc., is now actually forming on the Susquehanna. *Tioga Point* seems to be their general rendezvous. They extend some distance down as well as up the Tioga Branch (Chemung). They have had a gathering to council of their principal partisans, who oppose the introduction of law into that settlement. They carry everything with a high hand, in open defiance of all government except their own. Last week they were to try a man for his life, who refused to comply with their injunctions, but the issue is not yet known. Their avowed design is to institute a *new state*, and if they are not timely checked and restrained, will soon become very troublesome and dangerous. They increase very fast, and their present numbers are by no means inconsiderable. Immediate and decisive measures ought to be taken against them it is to be lamented our government admits of no decision. It is for the want of energy in this respect that we see banditties rising up against law and good order in all parts of our country."

Shades of Ethan Allen and John Franklin! Does not this seem the very essence of "*Yellow Journalism*?" And yet almost strictly true! Descendants of Connecticut settlers, here you see your revered ancestors as *Pennsylvania* saw them. Further startling intelligence is contained in later issues of the same paper. (All these excerpts prove that there are chapters of Tioga Point history that cannot now be written.) If we might only go back a few hours to 1787!

"Sept 12 We hear from Wilkesbury in the county of Luzerne that a court was held there last week in the *most peaceable manner*. Two bills, it is said, were found against John Franklin for riot and trespass, and for assault and battery. This incendiary we are told has retreated to Tioga (Point) where he is stimulating a body of vagrants to commit fresh acts of rebellion and treason against the government of Pennsylvania. From the happy effects that have followed the establishment of a new county at Wyoming, composing the minds of the people, and driving off insurgents and vagrants; there is no doubt that

the establishment of a new county that shall include Tioga Point, fixing the officers of the said county near the spots infested by this banditti, would immediately drive them from the confines of this State. *Unless this be done*, we must expect that our citizens will move westward, and leave us a wilderness within 150 miles of our capital." A letter from Wyoming, dated September 6, says: "We have learnt nothing from the Convention at Tioga, except that the meeting was not so great as was intended. I have just heard, but how true I can not tell that they have dispatched two surveyors to lay out two towns (doubtless Ulster and Athens) on the waters of Tioga in this State. The appointment of a Lieutenant I flatter myself will have a good effect."

"Sept 20. By a gentleman just arrived from Tioga we learn that the insurgents in that place were surprised and taken by a party of the new federal military, and that their leaders are on their way to Wyoming to be tried for their lives."

While not absolutely accurate, this last notice no doubt alludes to the seizure of John Franklin, which is thus described in the *Gazetteer* for October 6, 1787:

"A few days since, Capts. Craig, Brady, Stephenson, Begs, Mr. Pim and Mr. Erb went to the county of Luzerne, and there by order of the Supreme Executive Council, apprehended *John Franklin*, and yesterday brought him to this city. This man has been very active in fomenting disturbances in the county. Great address and resolution was shown by the gentlemen employed in conducting this business; they were all officers in the Continental army, who distinguished themselves by their bravery during the late war—it is to be hoped that they will receive sufficient compensation for their services. * * * A correspondent with pleasure informs the public that *John Franklin of Luzerne County a refractory member of our late Assembly*" was taken a few days ago by a few of the old Continental officers, and is now safely lodged with Captain Reynolds, where he is to remain without bail or maine prize, until he is impeached, with *the infamous nineteen members* who had the audacity to attempt the breaking up of the late House of Assembly, after wasting £1067 10s of the public's money, without finishing any part of the business the House has been sitting for." (No filibustering was allowed in those days, and to waste the public credit or cash by such methods was rightly characterized as a crime!)

October 9, 1787, David Redick, President Benjamin Franklin's messenger to Governor Clinton, reported that the latter was now convinced that Hamilton, Benton, McKinstry and Aughmenterry were wicked men; also that Clinton rejoiced at the arrest of Franklin, and promised to secure the persons and papers of Hamilton and Benton.

October 10. Colonel Denison was requested to "go immediately into his county of Luzerne, in order to inform himself—and furnish exact information to Council—if he judge proper to proceed as far as Tioga himself or send thither some suitable persons, to view the situation of the mal-contents there, and obtain what knowledge he can of their designs, numbers, force and probable means of support, if they mean to establish themselves within the boundaries of this state," etc.

State funds being low, Benjamin Franklin himself furnished the astonishing sum of *twelve dollars* to Colonel Denison for his expenses.

At a meeting of the Council held October 30, it was reported "that the rioters lately assembled at Tioga still persist in their intentions to oppose the Government," and it was decided to make application to Congress for consent to raise a body of troops, not exceeding 500 men; for it was soon evident that Col. Franklin's absence was

⁴¹ "When Luzerne County was organized twenty members of the Assembly bolted, much to the disgust of the *Pennsylvania land speculators*, and the too subservient officials of the State." The *Gazetteer* intimates that Franklin was one of the "twenty."

little assistance in quelling disorders. Pickering's expressed apprehensions were doubtless allayed by the promise of the council "that a sufficient number of troops will be sent in good time, if necessary, to take part at Tioga." Increase of magistrates was also promised, October, 1787. A few weeks later Obadiah Gore and Matthias Hollenback address the Council in a joint letter, informing them that they have been making inquiries and learn the insurgents are still determined to get on as many half-share men as possible, adding:

"Now whether it would not be policy to send a Company Immediately to Tioga Inlisted for one year—and let the reasons be published why they are sent which will prevent in a Great measure people being prevailed on to commence halfsharemen. * * * Should the Troops continue there until about the first of June next, while people Generally Get settled for a season's work, it is highly probable they may be discharged. To continue troops here (Wyoming) does not secure allegiance of the Insurgents at Tioga (where they chiefly are, and going) but the Troops being there secures the whole." These requests for troops were not granted.⁴² (The original of this letter is still in existence, and has been seen by the author.)

Even the loss of their leader did not subdue the Susquehanna Company. A brief meeting was held December 26, and an important one December 27, 1787. A large board of Commissioners was appointed from those most interested in the new state scheme. Col. Franklin's name was included. Their duties were to acquaint themselves with all proprietors; inspect, survey and record their claims; to arrange for holding court, to *grant new* townships; in fact, they were fully empowered to transact any business they deemed necessary. The Wolcotts and other prominent new state schemers were very active in both these meetings.

Though there are no records for several years after this, some interest was kept alive, as shown in future meetings.

While the allotment at Athens took place in 1786, no one seems to have gone on the ground for permanent settlement, though no reason has been found recorded. But in 1788 the migration began. In reporting to the Executive Council, Pickering wrote May 27, 1788:

"The half Sharemen are now taking possession of lands assigned by Franklin, *particularly at Tioga*. John Swift, Elisha Satterly, Wm. Slocum, and Elisha Mathewson, are among them. These four persons I am just informed have taken possession of the lands they claim there, *turning off by force the former occupants*. Whether the latter had any *right* to their possessions I know not, but Force is the mode generally adopted in that part of the country to gain possession of lands."

What a shattering of Connecticut ideals. Satterlee and Mathewson securing their lands by force!

At this time it was reported from "Wilksbarre" that more than 1,000 people had gone through that settlement to Niagara (ostensibly) in two weeks. These were more half-share men.

⁴² As to the new state project Pickering wrote in November, 1787, to his brother: "The troubles originated with a few villains of some ability, but chiefly of desperate fortunes, taking advantage of the disaffection of a number of Connecticut settlers. * * * The principal conspirators live in the States of Connecticut and New York. * * * The conduct of the State (Pennsylvania) has consisted of a series of impolitic measures, sometimes lenient, sometimes severe, and, through abuse of power by those appointed to execute the orders of the State, sometimes cruel and oppressive. * * * Two parties, the one inside, the other outside of the State; the one open and bold, the other concealed and cunning, combined to prevent the passage of a confirming law, and were now doing their utmost to have it repealed."—Upham.

Every effort to obtain the release of Col. Franklin having proven unsuccessful, in June, 1788, the desperate measure was adopted of seizing Timothy Pickering, to be held as a hostage. While this was a Wyoming incident, the Archives tell of great activity at "Tioga." The commissioners reported that the seizure had been made by "half-share men or Wild Boys," and that they were hurrying Pickering through the woods toward Tioga Point. His captors were young men and boys said to be acting under instructions of their "great men at Tioga," Jenkins and McKinstry. It was reported that the latter was "ready with a troop of 500 men to sweep all before him, even as far as Wyoming." Pickering, proving imperturbable and unyielding, was soon released. He at once reported that the York Lessees had a plan to execute, and that McKinstry and Livingston probably encouraged his captors. Congress was again urged to send troops to Tioga, and appeals were made to New York and New Jersey to help quell the disorders. The people at Tioga Point were reported as mostly under arms, *ostensibly* in pursuit of the rioters who abducted Pickering. Poor fellows; far from being rioters themselves, his abductors were victims of a plot of a few old heads, or great men, and in many instances had been forced to assist in the escapade.

Jenkins, Swift and the York lessees were now reported at Canadesaga Lake, expecting to hold a treaty with some Indians.

In the investigations that followed Pickering's seizure, Mrs. Thomas Wigton, of Mashoppen, related that when her husband appealed to Col. Jenkins, inquiring if this seizure would not be a bad affair and lead to fighting, he replied: "*I swear we must fight in order to have peace.*" Just previous to his abduction, in May, Pickering had reported to the Council that multitudes of old settlers had become half-share men, and said:

"At this moment great numbers are in actual possession from Tunkhannock to Tioga—I therefore continue of the opinion, *That in order to establish the peace of the county of Luzerne, it is necessary to fix a military post at Tioga*,—this appears to be *sound policy as well as necessity*. * * * I beg leave to add another reason for fixing a post at Tioga. There are great numbers of orderly people who would come and settle in the country." While Congress agreed to send troops to Tioga, if necessary, the danger seems to have been averted.

Thus ended the first epoch of the history of the Connecticut settlers at Tioga Point. "A bold scheme, which, if successful, threatened to disrupt the young confederacy of states." Which turned the attention of practically the whole country on the little peninsula of Tioga Point, and required the wise counsels and quick action of the great statesman, Benjamin Franklin, to avoid a calamity. This scheme has been alluded to slightly as merely "talk of Wild Yankees." But the State records speak for themselves, and indeed tell the whole story: no yellow journalism, after all. Would that a modern reporter had been present to tell a truthful tale of the daily occurrences at that period. Doubtless Athens was to be the capital, because it commanded the two rivers, by which flight to New York state could be expedited, as in Indian times.

Thus was Tioga Point, in turn, the rendezvous of the Indian, the Tory and the Wild Yankee.

And now, while poor Franklin is languishing in prison, we will retrace our steps, and consider the evident or open history of the settlement. Though it is certainly a pity not to discover the hiding place of the cannon, ammunition and stored provisions; doubtless somewhere in the pine woods on the plains.

The Connecticut Gore.

In studying the history of Tioga Point, frequent allusions were found to the "Connecticut Gore," with no enlightening explanation. Many letters bearing on the matter have come to light among the Paine and Hollenback papers; yet it was incomprehensible until we found in the New York State Regents' Boundary Commission Report a chapter called "the Connecticut Gore," from which are taken the following explanatory extracts. These make, with the letters, a complete and interesting chain of neglected history:

"Very few of the dwellers along the Parallel Boundary, in the State of New York, are aware that the title to a narrow strip along that Line was involved in the controversy between Connecticut and Pennsylvania, and that Connecticut, after having abandoned the controversy with Pennsylvania, undertook to renew it with New York.

"The south line of the territory conveyed by the charter of Massachusetts was found to be along the parallel of latitude $40^{\circ} 2'$, two and three-tenths miles north of the forty-second parallel, the north line of Pennsylvania. By the Charter of Connecticut, granted in 1662, the territory conveyed was bounded "on the north by the line of the Massachusetts Colony running from East to West, that is to say, from the said Narragansett Bay on the East, to the South Sea, on the West part.

"Connecticut confined herself in her contest for the actual possession of the lands covered by her Charter, west of the Province of New York, to that portion of them which were contained within the limits of the territory granted to William Penn. The Indian Deed to the Susquehanna Company conveyed 'to the forty-second or beginning of the forty-third degree of North Latitude.' Connecticut had her hands full with a contest with New York over the line east of the Hudson, and evidently did not care to complicate it by setting up claims for lands which might possibly be claimed by New York in the other direction.

"The controversy went on in Pennsylvania, and was ended, so far as the State of Connecticut was concerned. The latter state had ceded her western lands, beyond the Western Reserve, to the United States, and by her acceptance of the Decree of the Trenton Commission she abandoned her claim to lands within the territory of Pennsylvania.

"Considering the Delaware River as the western limit of the Province of New York, as it was evidently construed by King Charles in his grant to Penn, and as admitted by Gov. Tryon in his report of 1774, there still remained to Connecticut the nominal title to a strip of land two minutes of latitude in width, extending from the Delaware River to Lake Erie, to which she had never laid claim, either by actual pre-emption by her agents, or by conveyance to other parties. * * *

"In 1794-5 the State of Connecticut was building a State House at Hartford. In those early days it seems to have been as much of an elephant on the hands of the Commonwealth as the new Capitol at Albany is held to be by some of the present generation. Andrew Ward and Jeremiah Halsey were the contractors. And in payment for materials furnished and services rendered, Connecticut hit upon the happy expedient of laying claim to this almost forgotten strip of land, and conveying it to Ward and Halsey.

"Under an Act of the Assembly of Connecticut, passed the second Tuesday in May, 1795, Governor Samuel Huntington executed a deed dated 25th July, 1795, in which he, for the Commonwealth, quit-claimed to Andrew Ward and Jeremiah Halsey, 'said land situated and lying within the original Charter limits of this State, on the north of, and adjoining upon the north line of Pennsylvania, and south of the original charter line of the Commonwealth of Massachusetts as before expressed.' The consideration of the deed was forty thousand dollars.

"The Colony of New York had assumed jurisdiction over the lands in question * * * more than twenty years before * * * had entered upon the entire area of the strip or "Gore," and with a few inconsiderable exceptions in the southeastern part of Broome County, had conveyed it away, and settlers were in possession at various points. (Page 431.)

That this latter statement is not exactly true may be proven by letters and other data in the author's possession.

Mrs. Perkins, in "Early Times" (p. 62, second edition), says:

"Among the papers of John Shepard was a statement of the boundaries of a lease dated March 1787, from the Chiefs of the Senecas and Cayugas to Benjamin Birdsall, Simon Spalding, John Shepard, Matthias Hollenback, Obadiah Gore, Elijah Buck, and many others, beginning at the Narrows five miles above Newtown, on the Tioga; thence east to Awaga (Owego) creek; thence down the Awaga to the Susquehanna river; thence down said river until it strikes the Pennsylvania line; then on said line until it strikes the 79th mile stone (just west of Seeley Creek); from thence a northerly course to the place of beginning."

It has been impossible to find this paper at present. Doubtless the same lease is alluded to in "Annals of Binghamton" (pp. 129-133), which says:

"A little previous to 1788 Judge Gore and Gen. Spalding from Tioga Point rented the land lying between the Pennsylvania line on the south, the pre-emption line on the west, the two lakes on the north, and the Chemung Narrows on the east, for ninety-nine years."

Among the *Hollenback papers* is an original document, dated May, 1787, signed by Joseph Smith, John Lambert and Harris Jones, of Albany County, New York, who

"By these presents constitute and appoint our Trusty friends Lawrence Tremper (of New York State) and Mathias Hohenbeck and John Sheppard (of Penna.) to be our lawful attorneys to transact all matters relative to a lease of land obtained from the Necessary chiefs of the Sinnaca Nation of Indians to Benj. Birdsall, L. Tremper, Simon Spalding, Mathew Hohenbeck and others bearing date the 5th of March 1787 on the waters of Tioga and Elsewhere," etc., indicating that the company originally contained these men and other New Yorkers. Among the Paine papers are various copies of letters to and from Jeremiah Halsey, giving further enlightenment. Ward and Halsey had organized a company called the "Connecticut Land Company," for the purpose of taking up the land in the Gore, and they soon heard of the Indian lease. In reference to letters from Gore and Spalding, Colonel Halsey wrote that the Proprietors of the Gore, "who are a very strong concern," relied on him to prevent pending suits, etc.; further respecting the Lease from the Natives, Halsey enclosed a copy of a suggested transfer, which he wished executed *by each* of the Lessees and forwarded to him, the transfer to be on the back of the lease:

"As to expenses will do justice and provided the Proprietors of the Gore gain anything under Connt. title by the transfer, I will pay what is generous, even if it amount to the whole purchase money given to the Natives."

The suggested transfer was as follows :

"To all people to whom these Presents shall come Greeting; Know ye that we the undersigned for the consideration of \$3000, to us in hard paid by Jeremiah Halsey of Preston in the County of New London and State of Connecticut, do therefore hereby convey and assign the within written Lease to him the sd Jeremiah Halsey & his Heirs & Assigns forever, together with all our right title," etc., etc.

The suggested receipt was as follows :

"Hartford June 4, 1796—Recd of Simon Spalding, Obad Gore, Lawrence Tremper, Mathias Hollenback & John Shepard an Indian Lease bearing date the 5 March 1787, of a tract of land on the waters of the Susqua & Tioga Rivers, from Littlebeard, Bigtree and others of the Seneca and Cayuga nations, which said lease I promise to account for agreeable to our agreement, which I received by the hand of John Franklin Esq. Recd &c Jerh Halsey."

There were also letters sent by Franklin, from Clement Paine and others in the interests of those who had already settled in the Gore, anxious to make some satisfactory arrangements with the new owners, all "wishing fervently that Halsey might be successful in a cause which appears so just." The letters of Obadiah Gore and Matthias Hollenback, written two years later, show that the proprietors of the Indian Lease were not fairly treated by Halsey. As Gore put it :

"The receipt does not make you sufficiently accountable to us. You can by this time determine if it will be serviceable in your Tryal—if so—we expect to be made good for it about £1600, N. Y. Currency—should you consider the lease of no use we will take it again."

The receipt gave no encouragement of compensation, and Gore thought the matter should be adjusted before Halsey's impending trial (probably by New York State). It was decided that Matthias Hollenback should go on in person, and a sorry chase he had. Halsey was found, but he claimed the lease was at Hartford or New Haven, or any other place he thought of. Mr. Hollenback was led from place to place on false promises. He was shown the lease, but not allowed to keep it, and learned that Col. Halsey was a mass of deceit, and had even intercepted letters concerning the Gore. Feeling that he was trifled with, Mr. Hollenback gave up in despair and returned home in May, 1799. Two months later Obadiah Gore again took a hand; interviewed Col. Halsey and, as he says,

"Got an additional receipt which reduces the matter to a certainty as to three thousand dollars."

Meanwhile the claimants under Ward and Halsey undertook to gain possession, and the matter was brought to the attention of the newly-elected Governor Jay of New York, who at once laid it before the Legislature, to which Halsey also sent a "representation." New York was up in arms; in less than a month the Legislature passed

"An Act to prevent Intrusions on lands within the Jurisdiction of this State under pretense of Title from the State of Connecticut."

Some suits of ejectment were brought in the United States Circuit Court for District of Connecticut *for the Connecticut Claimants*. The New York Legislature instructed the Governor to direct the Attorney General, with such counsel as might be required, to defend these suits,

and appropriated \$5,000 toward expenses. Legislation by Congress was recommended by the Attorney General, to permit trials in places where non-interested juries might be secured. Accordingly, an act was introduced, but failed to pass. The case was taken to the Supreme Court of the United States; but before a decision was reached, the Connecticut Legislature made a move for an amicable adjustment, having already offered to release juridical rights over the territory when the proprietors of the Gore should have adjusted all disputes. The Supreme Court soon rendered a decision, declaring that the states were not parties, and that the Circuit Court had jurisdiction, closing thus:

"How far a suit may with effect be instituted in this Court to decide the right of jurisdiction between two States abstractedly from the right of soil, it is not necessary to determine. The question is a great one, but not before us."

When next the cases were called in the District Court at Hartford, the plea of jurisdiction was sustained on the ground that Connecticut had renounced all claims to lands laying westward of the east line of New York. The cases were thrown out of court, with costs upon the claimants. As is expressed in an appeal printed in 1829, "here the hopes of the Gore Company terminated," and the projects of gain under the grant to Ward and Halsey vanished in a moment. No further efforts were made to obtain possession, the claimants contenting themselves with presenting their claims to the State of Connecticut, and printed appeals to the public. The Gore Company lost many thousands of dollars, and its short story was ended. If the proprietors of the old Indian lease received their \$3,000 from Halsey, as agreed, they surely fared better than company or claimants; but there is no record that they did. There is a memorandum by M. Hollenback: "See Obadiah Gore what he did with Halsey's note of \$3,000." Their title seems to have held to at least a part of the land for which they had taken a patent *from the State of New York in 1796*, apparently after they heard of Ward and Halsey's claim. Lot 142 was the Sing-Sing tract and is still in the possession of heirs of Matthias Hollenback.

CHAPTER XV

1786-1798

THE PIONEERS

The Original Proprietors of Athens—The Beginnings of the Settlement—Excitement Over Indian Murders—First Suit in Local Controversy—Ervin's Claim—Many Newcomers—Franklin Released—Renewed Activity of Susquehanna Company—Second New State Scheme—Agitation Over the Intrusion Law—Conditions of Trade—General Town History to 1798

"Through the deep wilderness where scarce the sun
Can cast his darts along the winding path,
The Pioneer is treading. In his grasp
Is his keen axe, that wondrous instrument
That, like the talisman, transforms
Deserts to fields and cities. He has left
The home in which his early years were past,
And, led by hope, and full of restless strength,
Has plunged within the forest, there to plant
His destiny."

ORIGINAL PROPRIETORS OF CERTIFIED ATHENS, 1786.

Divisions				Divisions			
	1st	2nd	3rd		1st	2nd	3rd
John Hurlbut	1	43	22	Benjamin Gardner	28	12	47
Elisha Mathewson	2	30	43	William Jenkins	29	9	34
Ethan Allen	3	24	21	Eleazer Slocum	30	16	13
Joel Thomas	4	48	14	Nathan Carey	31	36	16
Oliver Bigelow	5	22	18	Richard Halstead	32	16	32
Richard Halstead	6	32	39	Benjamin Allen	33	10	5
Reuben Cook	7	5	26	John Franklin	34	17	23
Public Lot	8	51	8	Ishmael Bennett	35	20	29
John O'Neil	9	31	25	Elisha Harding	36	37	7
Prince Alden	10	23	36	Elisha Satterlee	37	8	42
Thomas McClure	11	44	11	Benjamin Smith	38	26	28
Phineas Stephens	12	28	40	Abraham Miller	39	34	31
Uriah Stephens	13	21	44	John Franklin	40	1	4
Matthias Hollenback	14	13	3	John Jenkins	41	27	37
Solomon Bennett	15	6	38	Ira Stephens	42	4	53
Richard Halstead	16	39	1	John Hageman	43	47	12
William Slocum	17	49	30	Abraham Nesbit	44	41	35
William Jackaway	18	29	20	Mason F. Alden	45	3	51
Waterman Baldwin	19	50	49	Jonathan Burwell	46	7	52
Christopher Hurlbut	20	11	17	Nathaniel Cook	47	38	27
William Hyde	21	40	6	Thomas McClure	48	45	15
Asahel Buck's Heirs	22	19	41	Richard Halstead	49	15	48
Public Lot	23	53	10	Gideon Church	50	18	46
William Jones	24	42	33	Public Lot	51	52	9
Nathan Denison	25	2	2	John Swift	52	35	24
Thomas Baldwin	26	25	19	Thomas Handy	53	14	50
Eldad Kellogg	27	33	45				

The original proprietors; who were they, and whence; and how many became permanent settlers at Tioga Point? As Athens was a certified town, it would seem these questions could be easily answered. It was, therefore, a surprise when research revealed four or five lists of "original proprietors" *which are not alike*. There is one in a little home-made book, labelled "Field Notes," long supposed to be John Jenkins' original notes; till a friendly surveyor mildly suggested that field notes were generally made with pencil, and we are sure there were no fountain pens then in vogue. Another list on the back of Zephon Flowers' map is labelled "copied from Jenkins." Another, furnished for Craft's history by Edward Herrick, Jr., source unknown. In Mr. Craft's note books are two more, labelled, respectively, "Paine's List" and "Jenkins' List." Doubtless the original notes of Col. Jenkins are still in existence, but as is well known, the Jenkins papers are inaccessible. Having no response to our inquiry in that quarter, the decision was made to give Flower's list, as follows:

1ST DIVISION.

- 1—John Hurlbut (Flower, Paine and Jenkins)—Zera Beach (Craft).
- 6—Richard Halstead (Flower)—Blank Lot (Paine and Jenkins)—Justus Gaylord (Craft).
- 7—Reuben Cook (Flower, Paine and Jenkins)—John P. Schotts (Craft).
- 16—No 16 but two 34's (Flower and Paine)—Last 34, Duane & Patrick (Flower). Daniel McDowell's name crossed out and Duane & Patrick written in different ink (Paine). No 16 and one 34 (Jenkins). No 16 Zera Beach (Craft). The first 34 on Flower and Paine notes is John Franklin, which is correct.
- 28—Benj. Gardner (Flower, Paine and Jenkins)—John McKinstry (Craft).
- 39—Abraham Miller (Flower, Paine and Jenkins)—Duane & Patrick (Craft).
- 47—Nathaniel Cook (Flower, Paine and Jenkins)—Zera Beach (Craft).
- 49—Richard Halstead (Flower)—Blank Lots (Paine and Jenkins)—Zera Beach (Craft).
- 53—Thomas Handy (Flower, Paine and Jenkins)—John Shepard (Craft).

2ND DIVISION.

- 5—Reuben Cook (Flower, Paine and Jenkins)—John P. Schotts (Craft).
- 12—Benj. Gardner (Flower, Paine and Jenkins)—John McKinstry (Craft).
- 14—Thomas Handy (Flower, Paine and Jenkins)—John Shepard (Craft).
- 15—Richard Halstead (Flower)—Blank Lot (Paine and Jenkins)—John Franklin (Craft).
- 24—Ethan Allen (Flower, Paine and Jenkins)—No No. 24, but has two No. 35's, Ethan Allen and John Swift (Craft).
- 32—Richard Halstead (Flower, Paine and Jenkins)—Justus Gaylord (Craft).
- 34—Abraham Miller (Flower, Paine and Jenkins)—Duane & Patrick (Craft).
- 38—Nathaniel Cook (Flower, Paine and Jenkins)—Zera Beach (Craft).
- 39—Richard Halstead (Flower)—Zera Beach (Craft)—Daniel McDowell crossed out and Duane & Patrick written under in different ink (Paine)—Daniel McDowell (Jenkins).
- 43—John Hurlbut (Flower, Paine and Jenkins)—Zera Beach (Craft).

3RD DIVISION.

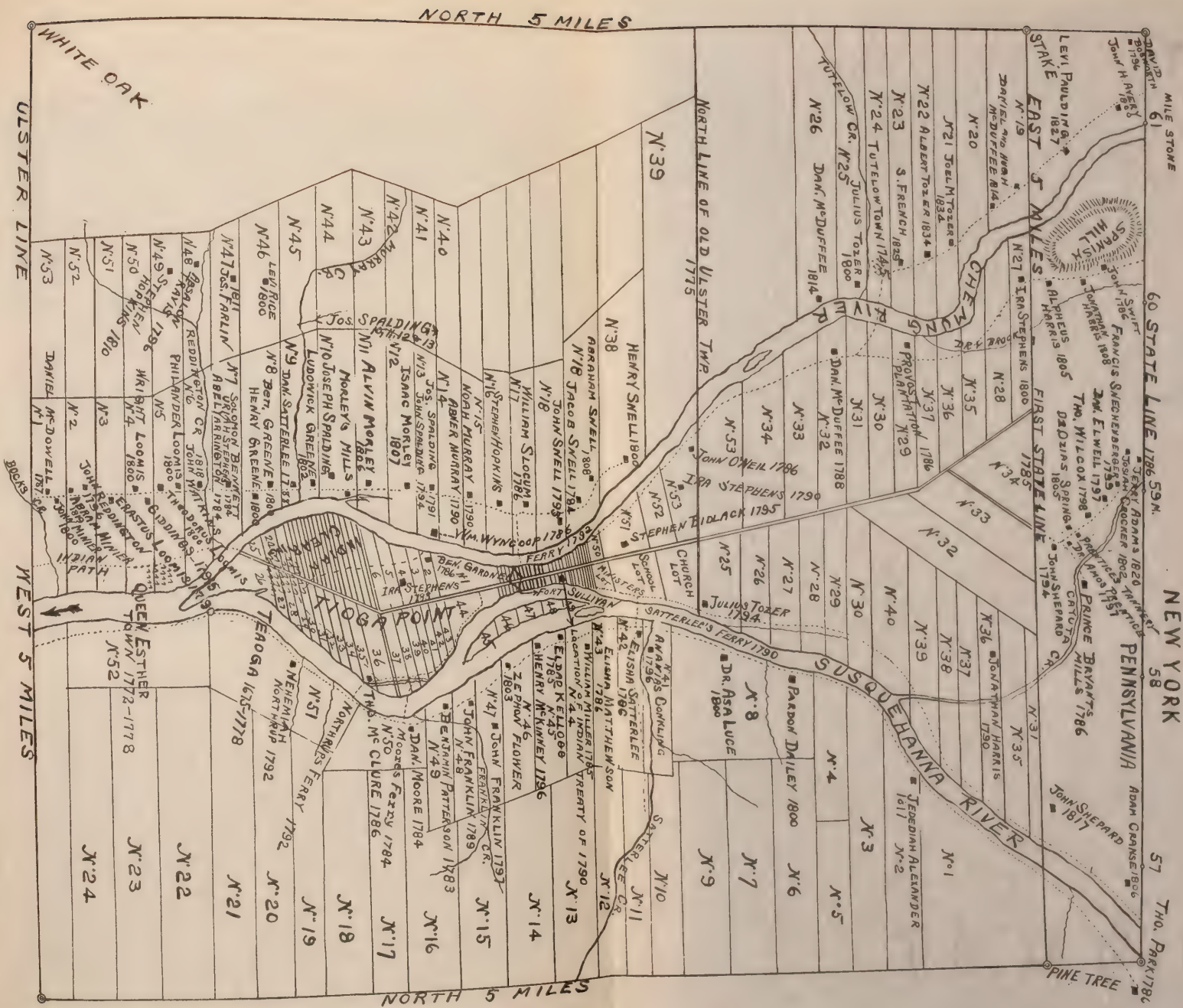
- 1—Daniel McDowell (Flower's map)—Duane & Patrick (Flower's notes or list)—Daniel McDowell's name crossed out and Duane & Patrick written in different ink (Paine)—Daniel McDowell (Jenkins)—Zera Beach (Craft).
- 22—John Hurlbut (Flower, Paine and Jenkins)—Zera Beach (Craft).
- 26—Reuben Cook (Flower, Paine and Jenkins)—John P. Schotts (Craft).

- 27—Nathaniel Cook (Flower, Paine and Jenkins)—Zera Beach (Craft).
 31—Abraham Miller (Flower, Paine and Jenkins)—Duane & Patrick (Craft).
 37—John Jenkins sold to Jonathan Harris (Flower).
 39—Justus Gaylord (Flower's map)—Richard Halstead (Flower's list)—Blank Lot (Paine and Jenkins)—Justus Gaylord (Craft).
 47—Benjamin Gardner (Flower, Paine and Jenkins)—John McKinstry (Craft)—McKinstry bought of Gardner.
 48—Richard Halstead (Flower's notes)—John Franklin (Flower's map)—Blank Lot (Paine and Jenkins)—John Franklin (Craft). This lot is Franklin's lot on the east side of the river.
 50—Thomas Handy (Flower, Paine and Jenkins)—John Shepard (Craft).

The various lists have been carefully compared by N. F. Walker,¹ noting the differences which at first seemed very puzzling. But with a full comprehension of the New State scheme, it is discerned that Col. Jenkins' first list was of those to whom original allotments were made; and that before the actual settlement, in 1788, transfers were made to "York Lessees," to more active Connecticut men, or to the actual settlers who had already made pitches. Notable transfers were to the men appointed Commissioners of the Susquehanna Company in December, 1786, doubtless to give them a controlling interest in the new state. However, *every one* named on all these lists had to do with the early settlement, and may be enrolled with the Makers of Athens. Let us give some attention first to those whose names have not been mentioned in previous local histories.

First, John Paul *Schotts*, Captain, Major, Member of Assembly and of Supreme Council of Pennsylvania. The name, often misspelled, is *Schott*, and the knowledge of him is derived from Miner's history of Wyoming, where Schott long resided. He was a Prussian, an officer in the army of Frederick the Great, where he served with merit. Like many young foreign soldiers, he was attracted to America during the Revolutionary War, and in 1775, on offering his services to Continental Congress, that body, on most respectful recommendations, immediately proffered him a captain's commission. He commanded a company of riflemen in the Sullivan Expedition, and as his corps traveled by land, was well acquainted with this valley. He became a citizen of Wyoming, and that he was esteemed is shown by various appointments. In 1780 he married a daughter of Wyoming, Miss Naomi Sill, "the occasion being one of great joy and festivity in the garrison and among the whole people." His sympathies were evidently with the Connecticut settlers, as evinced not only by being made a Commissioner, but by the representations of "that old traitor," W. Hooker Smith, who claimed that when Schott and his troop were sent in search of Pickering and his abductors, Schott purposely lagged, and held back his men to give the Yankee band a chance to get well in advance. Smith was not eminently truthful, and yet Schott may have been playing a double part. In the previous year, October, 1787, he

¹ Nathaniel F. Walker has made the maps of Athens and Tioga Point for this volume, the first facsimiles ever published, additions and inaccuracies having been observed in previous ones. Mr. Walker is a direct descendant of Col. John Franklin; grandnephew of the first resident surveyor, Zephon Flower, and son of the late Z. F. Walker, a life-long resident surveyor. It is easily seen that he has unusual material at hand, having all the original surveys and notes except Jenkins; also diaries and notes of Franklin. He has been an invaluable assistant in the preparation of this history, his gratuitous work being a memorial to his ancestors.



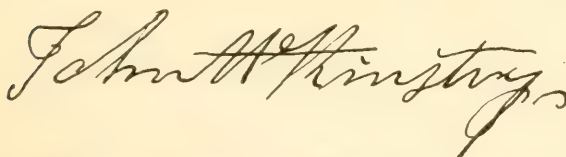


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was elected to fill the seat in the Pennsylvania Assembly that Franklin had declined on his election in February, 1787. Major Schott was thus not only the first representative to Assembly from Luzerne County, but was a member of the council which refused bail to Col. Franklin after his arrest. Possibly his appointment as Susquehanna Company Commissioner was not known, and he was 'twixt two fires. He was "one of a committee to regulate the police of the settlement." In 1804 he removed to Philadelphia, and was long Inspector in the Custom House. Possibly Dr. Christian Schott, later of Elmira, was a descendant. Whether he took any active part at Athens is unknown. His lot was No. 7, now (1907) the property of Mrs. C. W. Canfield, originally allotted to Reuben Cook (for whom Walker claims residence and who removed to Painted Post in 1790).

Zerah Beach was long a resident of Wyoming and very active in the Susquehanna Company. He is credited on the list with *nine shares*, the same as Franklin's, evidently a controlling interest. That he was most active in the new state project is shown from various letters already given, and by his being included in writ issued to Craig for the arrest of Franklin and associates. Lot No. 1 was transferred to him, though Z. F. Walker said it was always claimed by Elisha Matthewson. While Beach had not actual residence, he was evidently one of the leaders of the Wild Yankee movement, and the township of Burlington, later the seat of the league, was granted almost entirely to him and Dr. Jos. Hamilton, writer of the incendiary letters. It is strange that Hamilton and Benton *are on none of these lists* of Athens proprietors.



John McKinstry is now an unfamiliar name. He was doubtless one of the so-called "York Lessees," a resident of Hudson,

N. Y., also of Livingston Manor. As shown in previous chapter, he was the acknowledged leader of the Yankee forces in the Tioga Point region. Records in Archives prove (if not actual residence, which was probable) that he made Athens his headquarters for an extended period, especially during the imprisonment of Franklin; for while his name was included in the warrants, he was not arrested. There is also recorded testimony that he was here in October, 1793, and probably at the Susquehanna Company meeting in 1795, as he was then appointed on a committee. He himself records² that the lots held by him were originally allotted to Benjamin Gardner, although his name appears on Jenkins' own list. Doubtless Gardner was the squatter mentioned in "Field Notes." McKinstry's lot in the town plot was next to the last on the east side of Main Street, now occupied by house of Miss Sawyer (1907). McKinstry was doubtless popular for his bravery. He was first a captain, and afterward a colonel during the Revolution. Toward the close of the Canadian campaign of 1776 he

² Pennsylvania Archives, Second Series, Vol. XVIII.

commanded a company at the battle of the Cedars. In spite of the repulse of the Americans he fought with such bravery and spirit that he attracted the attention of the noted Indian chief Joseph Brant, who was fighting with the British. Brant rescued him from the hands of the savages, and the story is a most interesting one; the Indians being appeased by the purchase of "an ox, which they roasted and ate *instead of the gallant prisoner.*" (A full account of this episode is in Stone's "Life of Brant," pp. 155-156.) Brant and McKinstry were friends through life thereafter.

Nathan Denison (well known in the history of Wyoming as the colonel in command of the Fort during the massacre) was another original proprietor; his town lot being No. 25, now occupied by the residence of P. J. Stone (1907). Denison transferred his lots, or a part of them, to Col. Franklin in 1789. (We cannot understand his interest, as he was avowedly on the Pennsylvania side.)

With Gen. Ethan Allen's story all are well acquainted, and it has already been noted that he drew lot No. 3, now the residence of Mrs. L. M. Park, corner Main and Harris Streets. The autograph already shown was among papers of Allen's friend and lieutenant, Samuel Bartlett from Sunderland, Vermont (which was Allen's home), who settled at Sheshequin; an ancestor of L. T. Hoyt, who presented the paper to Museum. Allen's signature has not been found on any paper relating to Athens.

Observe on the list most of the names found in the proclamation mentioned in the last chapter: John Swift, Ishmael Bennett, Waterman Baldwin, Justus Gaylord, Elisha Harding, Richard Halstead, Phineas Stephens, Abraham Nesbitt, William Jenkins, all members of the Wild Yankee League, or, as they were called, "Tioga Boys." Note specially that *Prince Bryant is not on the list*; while he was a pioneer and built the first grist mill on Cayuta Creek in 1787 (later John Shepard's), it was not he, but Prince Alden, Jr., whose name heads the list of applicants for grant of Athens. There are also names of those imprisoned during the Wyoming struggle: Jonathan Burwell; and William Slocum, Franklin's devoted friend, to whom he called so loudly for help when arrested. Although these men were all so anxious to leave Wyoming, not many were actual settlers at Athens; perhaps permanent settlement depended on erection of new state. John Swift, however, was here a number of years. He and Elisha Satterlee were long the acknowledged leaders of the half-share men, called "Swift's Band" or "Swift's and Satterlee's Band." Swift was an active soldier and a noted hunter, evidence of which may be found in Miner, p. 359; and there are many other stories of his bold deeds that the boys may find in the various Wyoming histories and in the old Athens *Scribe*, as written by Sidney Hayden. He was probably one of the Connecticut sentries, for he built his house on the Point near present Stone House; the best vantage ground of Diahoga, and

close to good fishing grounds. He removed from Athens to Palmyra.³ It seems quite likely that Swift's and Jenkins' purchase there was from Matthewson, as Matthewson afterwards owned the Point property on which Swift settled. He was not only active in the Revolution, but in the war of 1812, when he was killed in battle, after attaining the rank of brigadier-general. Doubtless he deemed it prudent to remove from Pennsylvania, but he continued through life the intimate friend of the Satterlees.

Thomas McCluer (as he spells it) deserves special mention. Jenkins, in his notes, reports him as living in 1786 on the east side of the Susquehanna, about opposite the bend in the river, now located as just below the house of the late H. J. Baldwin. This settlement (made, no doubt, as a sentry of Connecticut) seems to have been overlooked by Herrick and Craft, though they report him as a resident later.⁴

Waterman Baldwin was born at Norwich, Conn., and was one of the first settlers at Wyoming; he was a brother of Sergeant Thomas Baldwin, another original proprietor, who was an early settler at Sheshequin, and later above Chemung, whose descendants are still in this vicinity. Waterman served in Washington's army when a mere boy, and when 19 years old enlisted in Durkee's Company at Wyoming; later he was a captain in Col. Proctor's regiment, still in service in 1791, when he accompanied Proctor over their old route on his mission to the Indians, and later was made an Indian agent. Thomas was a scout along the river under Col. Franklin, a sergeant in Sullivan's army, and was wounded at Newtown.

Joel Thomas was another original proprietor, who early transferred his property to Abner Murray; his lots, both on the island and west of town, being contiguous to those of McCluer. He moved over the line, living at Chemung and Newtown, and in 1795 was the first settler at Van Etten.

Christopher Hurlbut, a resident of Wyoming, was a surveyor. He made a settlement near Miller and Moore, but Franklin tells that at the drawing of lots he relinquished original pitch and shared with the others. He was evidently another of the sentries. Never brought his family; returned in a few years, and in 1797 removed into New York State; he was grandfather of the late Governor Hoyt. His diary makes no mention of this venture. McCluer, O'Neal and Gardi-

³ In the winter of 1788-'89 John Swift and Col. John Jenkins purchased Township XII, R. 2, now Palmyra (New York), and commenced the survey of it into farm lots in March. Jenkins being a practical surveyor built a camp * * * about two miles below * * * Palmyra. His assistants were his nephew, Alpheus Harris, Solomon Earl, ——— Baker and Daniel Ransom. "There they were attacked by Indians and Baker killed, and Earl wounded. The Indians were pursued and captured on the Chemung River, and tomahawked at Newtown."—(See Harvey's "History of Wilkes-Barré," for a fuller account.)

⁴ McClure was a Scotch-Irishman, a resident of Wyoming from 1774. As Sergeant in Captain Simon Spalding's company, he was active all through Sullivan's campaign, and willing to locate in this fertile valley. In 1788 he took out the first license as taverner at Tioga Point, which was received in March, 1789. Though it is not known where he kept open house, it is safe to assume he was on the lookout for the river traffic. He was a resident until 1794 when he removed to Elmira, and later to Catherinestown. In the allotment of Athens he was the original proprietor of the lower end of the island (which had five divisions), also of a part of property now known as the Murray farm west of town, and of lot No. 11 in village plot, now (1907) the property of Charles Kellogg, Jr. Some one of these lots he sold in 1791 to Lemuel Gaylord of Plymouth, who married Sylvia, oldest daughter of Noah Murray.

ner also relinquished their original claims to share with others. It seems strange that Miller, Moore and Snell did not do likewise.

Oliver Bigelow was the original proprietor of Snell's location, No. 18, in third division. Nothing is known about Bigelow, other than the fact obtained from Archives that he sold No. 18 to Abraham Minier, and the fourth division lot adjoining it on the north to Noah Murray (transfer to the Snells will appear later).

Nathaniel Allen was later a settler at Burlington, one of the fiercest Connecticut people. Matthias Hollenback was permitted (it is not known on what terms) to retain the property he originally purchased, 14, 15 and 16.

Solomon Bennett was a temporary resident, drawing lots 15, 6, 38. In 1789 he sold No. 6 to Andreas Budd. Budd sold to Elisha Matthewson, giving one of the earliest deeds still in existence, here noted, because it was later one of the contested Matthewson lots on the east side of Point farm, not far below the White Gate. Richard Halstead, Nathan Carey and Elisha Harding were also temporary residents. Harding was one of Franklin's close friends and warmest admirers, saying of him, "John Franklin was as brave a man as ever carried a gun." Many of these men, weary of strife, moved into Steuben County and Genesee Valley, New York.⁵ Prince Alden was living in Owego in 1795; although his name heads the list of applicants, it is not known that he ever lived in Athens.

We have reserved for the last the three original proprietors whose descendants are still among us, and who were among the foremost Makers of Athens, the three mentioned by Franklin in sworn deposition

as coming to Tioga Point in 1788, while he was in prison: Stephens, Satterlee and Matthewson.⁶

The approximate date may be decided from the letter of Pickering to council, May 27, 1788, mentioning among the half-share men "John Swift, William Slocum, Elisha Satterlee and Elisha Matthewson" as having not only taken

Uriah Stephens

Elisha Satterlee

Elisha Matthewson

⁵ "Among the soldiers of Sullivan was Uriah Stephens, Jr., a Pennsylvanian. Mr. Stephens belonged to a numerous family of New England descent, which had settled at an early day in the Wyoming region; and they, with other families which afterwards joined them in the settlement of the Upper Canisteo, suffered in the attack of the Indians and Tories on that ill-fated district in 1778. The Stephens, after several removals from Wysox, Queen Esther's Flats, and other localities, were living, in the fourth or fifth year after the close of the Revolutionary War, at Newtown.

"The explorers decided to purchase the two townships on the river, which included the open flats. Eight other men joined in the purchase: Col. Arthur Erwin, Joel Thomas, Uriah Stephens, (father of Uriah Stephens, Jr.) John Stephens, his son, William Winecoop, James Hadley, Elisha Brown and Christian Kress.

"In the summer of 1789, a company of men were sent to the flats, who cut and stacked a sufficient quantity of wild grass to winter the cattle that were to be driven on. In the autumn of the same year, Uriah Stephens, the elder, and Richard Crosby, with portions of their families, started from Newtown to begin the proposed settlement."

⁶ This was written before finding Jenkins' amended list with Jonathan Harris and John Shepard, which explanation is also an apology.

possession of the lands they claim, but turning out those already in possession! It is evident that this movement of the half-share men was to provide McKinstry with troops previous to Pickering's seizure, a few days later. Among the Mss. in Philadelphia was found a sworn deposition of Garret Smith that Gideon Dudley came to him, saying he had a great secret to reveal at the request of Maj. Jenkins, Col. McKinstry and John Hyde. It was to capture Timothy Pickering and keep him in the woods until the release of John Franklin. On being asked who was to conduct this cause, he said Col. McKinstry was coming with 500 men to subdue the settlement (of Wyoming). They were "*to take Possession of Job's Mill and Dr. Smith's place, the darned rascal, and tomahawk Hollenback, Damn him.*" This looks as though Hollenback may have assisted to explode the new state scheme, and surely proves a well defined plan in the settlement of Athens. There were other depositions, notably that of Benedict Satterlee, who was urged to quit his school and assist in Pickering's abduction, *as two-thirds of the settlement were with them*; and that Satterlee would not be able to live there longer (Wyoming) unless he joined them. His informant, Budd, mentioned that a bond had been sent to Philadelphia to bail Col. Franklin, but that, according to the directions from the Chief Justice, he was not bailed, *though the bond was kept*; hence the proposed abduction. (Ephraim Tyler, who lived at Meshoppen, and purchased the provisions, was related to Joseph and Francis of Athens.)

But to return to the settlement. John Swift has already been noted. William Slocum lived for a number of years on No. 4, fourth division, above the Tozer farm, east of the Susquehanna. Elisha Matthewson⁷ moved into Franklin's house, first lot south of old Academy, which was in process of building when Franklin was imprisoned.

⁷ JAMES Matthewson of Gloucester, Providence, Rhode Island, mentioned by Farmer as among the earliest settlers, was probably the first American progenitor of the family. Genealogical Dictionary of Rhode Island gives wife's name as Hannah Field. Their eighth child, DANIEL, born 1683, died 1750, was married four times and had fourteen children. WINCHESTER was the seventh child of Sarah Inman, first wife. Date of Winchester's birth not found, but next oldest brother was born July, 1719. Winchester was married to Mercy Herendeen by Justice Richard Steen, 18 April, 1742; residence, Gloucester. Had thirteen children. Susanna, born 1742; Mary, born 1743; Tabitha, born 1747; Rao (generally given Nero), born 1748; Amey, born 1749; Sylvanus, born 1751; Hannah, born 1753; Mercy, born 1755; ELISHA, born 1756; Constant, born 1758; Rosanna, born 1760; Sarah, born 1762, married Abraham Dutcher; Sabra, born 1767. Winchester inherited from his father interests in his property of mills, etc. That the Matthewson family were early interested in the Susquehanna Company is shown in the records: "Thomas Matthewson of Scituate, R. I., to Israel Matthewson of Johnston, R. I., right April, 1774." Doubtless these were of Daniel's family. The Westmoreland records, under date May, 1774, say: "Prince Bryant of Providence, R. I., to Winchester Matthewson, ½ right; also Thos. McCluer to Ezekiel Pierce, and he to Winchester Matthewson, all of Westmoreland lot No. 31 of Kingston, 19 Oct., 1774." The Archives (Vol. XVIII, p. 605) show that Winchester was possessed of about 400 acres of land in Wyoming Valley, and that he and his son, Elisha, were original proprietors of Bedford. Craft says that he exchanged valuable property in Rhode Island for Connecticut rights, and died before the massacre. His son Constant was killed at Fort Mifflin, November, 1777, and Nero (or Rao) at Mud Fort. Elisha enlisted in Captain Ransom's Second Westmoreland Independent Company, furnished his own accoutrements and served throughout the war. Soon after his settlement at Athens he was elected Major of militia, and was always known as Major Matthewson. He also filled several township offices with credit. While he was called "the silent man," it was well known that he was as firm in his Connecticut convictions as his associates, Franklin and Satterlee; yet his name is not found on record as are theirs. He married in 1791, Elizabeth, born 1760, sister of Elisha Satterlee, and had seven children: Constant, born 1792; Elias, born 1796; Cynthia, Fanny, Clarissa, Lydia and Elizabeth. The silhouette of Elizabeth is the only family portrait, except the mother's. While unable to trace connection, doubtless Guy and Oliver Matthewson, who lived in the valley before 1800, were of same family. Records are easily found in Rhode Island genealogies. Elisha Matthewson died in 1805. His wife died 1851, at the advanced age of 91 years.

Elisha Satterly⁸ (as it is generally given in old records) is supposed to have made a temporary settlement in village, *perhaps by dispossession, as Pickering says*; but his first location is not known at present. He at once began to build a house on lot No. 42, third division, part of his original allotment, although his lot in first division, No. 37, was near his friend Matthewson, being part of lot now owned by heirs of E. H. Perkins (1907). No. 42 is east of Susquehanna River and above the bridge, generally known to-day as the Kirby property, lately occupied by L. T. Hoyt. The original Satterlee house stood northeast of present house, in the bend of present road, and burned in 1805. A larger house was then built, which was also destroyed by fire one Sunday in 1856, while the family were all at church. The present fine old colonial house was built about 1847 by the son of Elisha, Sr., J. Franklin Satterlee, and *should be known as the Satterlee Homestead*. We neglected to say that Elisha Matthewson purchased Franklin's house and lot, which remained in the family nearly a hundred years and knew three successive Matthewson houses. Unfortunately there are no pictures. Ira Stephens⁹ first located on No. 4, second division, not far below

⁸ Elisha Satterlee, born May 12, 1760; married January 11, 1787; died August 25, 1826, was the son of Benedict Satterly of Groton, Connecticut, who was son of Benedict, son of William of Groton, who was son of Benedict (son of Rev. William Satterly of Exeter, England, Vicar of St. Ides'), who was the American progenitor, having emigrated to New London, Connecticut, about 1680. Some records may be found at Plainfield, and probably at Groton. Benedict, 3rd, with his family (ten or eleven children), was one of the original settlers at Kingston, near Wyoming; he is supposed to have been killed in some of the Yankee-Pennamite contests prior to the massacre; there is, however, no family record. Elisha early espoused the Connecticut cause, and as through life both he and his sister showed almost unwarrantable bitterness, it has been conjectured that it was first inspired by their father's death, though no doubt increased by their suffering at the time of the massacre, as already told. It is said Benedict, 3rd, was a private in the Wyoming militia prior to his death. Elisha was also in active service, though Colonel is only a militia title, as with Franklin. He had five half-brothers and sisters; two own brothers and two sisters who grew to maturity, and are on the family record. But there was another, Benedict, 4th, by name, who is not mentioned on the family record, yet is well known to be a brother. His half-brothers Samuel and Nathaniel were residents here or in this vicinity. Elias, Daniel and Benedict 4th were also residents, and it is supposed came with him. Elias became a physician, and lived and died in Elmira, highly respected. Elisha and Cynthia Stephens had been married a year and a-half when they came to Athens. Their only son, John Franklin, generally known as Franklin Satterlee, was born at Kingston; their two daughters, born at Athens, married Robert and Harry S. Spalding of Sheshequin. Franklin Satterlee was twice married, and had by each wife five children, most of whom married in this vicinity and helped to people the valley. Those still in this locality are C. H. Satterlee and Mrs. G. M. Angier, children of Elisha, 2nd, son of Franklin Satterlee and Julia Prentice; Orrin D. Kinney, son of Anna, daughter of J. F. and Julia; Mrs. C. C. West, daughter of Mrs. Angier, and two children; Mrs. F. E. Lyford of Waverly, and her children; she is daughter of Sarah, daughter of J. Franklin Satterlee and Elizabeth Marshall (second wife). Space forbids elaborate genealogy.

In the Connecticut controversy Elisha Satterlee was next in prominence to Col. Franklin, as is evinced by numerous allusions in Pennsylvania Archives, Vol. X, 1783 to 1788. In 1784 it is said, after the fight at Locust Hill, he was very boastful, and he and others swore they were "determined to clear the ground of Pennsylvanians;" that, of course, was at Wyoming. At Tioga Point the only thought was to resist the Pennsylvanians, ignore their laws, and hold the claim by any means. Elisha Satterlee was a very large man, so stout, indeed, that he had a special chair; no portrait of any sort is in existence, and if there were, it could hardly portray the character of the man, and the ardent zeal with which he fought for the cause. Judging from the mild and genial dispositions of all his descendants, they have inherited none of their ancestor's fiery temperament, which is laughingly remembered to this day in the saying of the time: "The snow never laid long on Elisha Satterlee's grave." The fire burned itself out in the Connecticut cause. As long as there was any vigor left to the two men, however, it was "Franklin and Satterlee," or "Satterlee and Franklin."

Elisha Satterlee, like Franklin, was ever ready to tell the story of the Connecticut settlers; and it is related that on one occasion either he or Franklin recounted his services, achievements, sufferings and wrongs in such glowing language that he fired the imagination of the youthful poet, who sat up in a cold room till the "we sma' hours," writing a poem (and catching a violent cold).

⁹ Ira Stephens is said to be the son of Jedediah Stephens and Mary ——— of Canaan, Connecticut, where he was born July 24, 1760, and married in 1784 to Sybil, the daughter of Samuel Ransom, also of Canaan. (There are probably family records to be found in Canaan.) Jedediah was an early settler at Plymouth, in Wyoming Valley, and doubtless brought his family with him. Uriah and Phineas, early settlers at Athens, were probably brothers of Ira, although they may have been sons of Uriah, Sr., one of the first Susque-

Everett Buchanan's cottage (1907). Within a year or two, anxious to escape the controversy, he built a house on his third division lot, now on Tyler farm, just over the line of old Ulster. Soon he found he was not yet outside the bounds, and moving farther north, he purchased a lot not far south of Spanish Hill, of Nathan Cook, and in 1800 built a house, which, though altered, still stands, now occupied by Mrs. H. C. Clapp. But he was not yet over the State line, so he essayed another move and contracted for land at Angelica, N. Y., where he was cruelly murdered, another victim of the controversy. Uriah and Phineas Stephens drew the two lots now just north of Museum-Library, one of which later, after several changes, became again family property, being occupied by Chester Stephens and family for seventy-five years. Uriah Stephens was an original proprietor of Old Ulster in 1775, and returned there prior to 1785; building on Queen Esther's flats the cabin that sheltered so many later pioneers, and which he occupied for six years until enforcement of Pennsylvania claim. It seems from Chester Stephens' writing in our possession that this was Uriah, Sr.,¹⁰ son of Jedediah and father of Ira, 1st. (For Chester Stephens see Note 9.) These three pioneer families were closely related, as Mrs. Satterlee was the sister of Ira Stephens, and Mrs. Matthewson was the sister of Elisha Satterlee. There are no portraits of the men or of Mrs. Stephens, but it is a pleasure to present those



CHESTER STEPHENS

of Cynthia Stephens and Elizabeth Satterlee, or, as she signed herself, Betsy Matthewson, who was long actively concerned in the history of Athens.

Betsy Matthewson

hanna Company proprietors. Jedediah came to Athens with his son, and was among the first to die in the new settlement in 1790, aged 87 years, and is buried in the old town burying-ground. *Chester Stephens recorded that Jedediah was grandfather of Ira.* Ira Stephens served seven years in the Continental line; was one of Washington's aides, and his descendant and namesake is to-day the proud possessor of a fine field glass presented by Washington when the war was over.

Evidently there was some special grudge against Ira as a Connecticut settler, as shown by his frequent removals, attempting to get beyond the Connecticut claim, and culminating in his death by the hand of a cowardly assassin. This occurred September 20, 1803, at Angelica, where he had made a purchase of land. His youngest child was born after his death. When she was only four months old, the last payment on the New York lands was due. The brave widow went on horseback, with the baby in her arms, to Angelica, driving with the help of her bound boy, a herd of young cattle to complete the purchase. The 400 acres of land was deeded to the baby Cynthia, and she held it until grown up. Ira Stephens' last home, near Spanish Hill, is still standing, having been partially inherited by his daughter Harriet, and partially purchased by her husband, Elias Matthewson. Ira's oldest son, Chester, lived in Athens until his death in 1878, a respected and reputable citizen. In 1817 he purchased for \$1200 the lot now north of Museum-Library, then considered the most valuable in the town plot. He occupied it during his life. He was a very active Mason, and was made an honorary member of Lodge No. 70, his portrait showing his regalia. Chester Stephens was one of the last survivors of the pioneers, and his reminiscences were valuable. He has no descendants in the valley to-day, although his gifted daughters Clara and Caroline are well remembered. Ira Stephens' name has been carried through four generations, and his descendants live in Towanda and Sayre.

¹⁰ Uriah Stephens, Sr., was one of the early members of the Susquehanna Company, and was appointed to obtain new shareholders from Litchfield County. On his list was the name of the father of Col. Franklin, John Franklin of Canaan, Connecticut.

MRS. ELISHA SATTERLEE¹¹

The Archives are full of the deeds or misdeeds of John Franklin and Elisha Satterlee. While Elisha Matthewson's name is not often found, these three men seem to have been bound together in sustaining Connecticut rights in the very spirit of Franklin's oath. They resisted Pennsylvania unto death, and even then their bitterness long pervaded the thoughts and actions of their families. In the local controversy three names stand out in letters of fire, FRANKLIN, SATTERLEE, MATTHEWSON. And curiously enough, there are now on Tioga Point (out of all those to whom original allotment

was made) descendants only of the "Wild Yankee" leaders, Franklin, Satterlee, Matthewson and Stephens, and with two of these the names, by marriage, are lost to sight. But not so the Connecticut spirit. Seek to-day these descendants, and they are ready still to rehearse the wrongs of their ancestors, the stories all wrapped in family tales and traditions of a hundred years. For their sake, in the cause of truth and justice, we have striven to unravel the web, and show by records the truth of the whole matter. And for their sake some of the most delicious bits of ancient history (*found recorded*) are rejected. After carefully studying the history of those turbulent times, the bitterness and violent passion displayed are seen to be the natural result of the long years of contention, where both parties were undoubtedly right, and *undoubtedly wrong*. Not having been born with the Chinese veneration for ancestors supposed to be their due, to us it is interesting to know their faults, and amusing to know their follies. We would even enjoy claiming the "Witch of Endor" as our own, but, since it is not best to divulge all discoveries, we here bury all those delicious bits of tradition in the ashes of the past, regretfully yet respectfully.

In one of Dr. Craft's note books is a still different list of proprietors, labelled "Jenkins' List," which should be Jenkins' No. 2, on which are two names that never have been given with the original

¹¹ These portraits are in the possession of Mrs. Helen Satterlee Good of Lock Haven; and Mrs. Lee of Binghamton, daughter of Elizabeth Matthewson (Washburn).

proprietors, yet very well known to all as pioneers of the valley. They are John Shepard and Jonathan Harris.¹² John Shepard's history is fully given in "Early Times," written by his daughter, according to which he was married in 1790 and settled at Milltown; but previous to that, when he was Hollenback's clerk, he was a village resident. The lot assigned to him is No. 53, next below old burying-ground. This was originally allotted to Thomas Hendy, who, with his brother, John Hendy (pioneer settler of Elmira), lived at Tioga Point *prior to 1788*, and Thomas had a log house on this lot, now northern part of Clovercroft. Jonathan Harris, by this list, has the lots originally assigned to John Jenkins, his brother-in-law, the one in village plot being now the property of Walter Page, just north of Academy Square. John Shepard and Jonathan Harris had a tavern license together in 1789. As Guy Maxwell at that time was Hollenback's agent, it may be Shepard and Harris built the store on Page lot, generally assigned to James Irwin. Jonathan Harris, Sr., was one of the original Susquehanna Company in Connecticut, his name being found on that list, as well as on that of the "Wild Yankee League." While even their older descendants never were known to place these men among the original proprietors, it is an established fact that they and their children and grandchildren have been among the most active in developing the interests of this region.



MRS. ELISHA MATTHEWSON¹¹

There are, of course, many proprietors of whom nothing can today be learned, and an examination of records of early deeds show that there was an amazing exchange of title of some lots; often five or six

¹² Jonathan Harris was the son of Jonathan Harris, Sr., and Rachel Otis of Scituate, Mass.; and grandson of Lieut. James Harris of New London, Ct., who was son of James Harris and Sarah Dennison, residents of Boston, previous to 1690. Bethiah, wife of Col. John Jenkins, was a sister of Jonathan, Jr. While it is not known that Jonathan, Sr., settled at Wyoming, his name and his son's are both on the "Wild Yankee" league. Jonathan, Jr., was father of Alpheus and grandfather of N. C. Harris, now living in Athens. The early history of the family is an interesting one, to be found in the Harris genealogy in many libraries. Jonathan Harris married Lodemia, sister of Julius Tozer, Sr. The Harris genealogy does not mention the family as at Wyoming, which seems to be an error; although they may have come as half-share men, sent by the York lessees, since it is related that Jonathan came to Athens in 1789 from Goshen, Orange County, N. Y. Jonathan, Jr., was born at Colchester, Ct., 6th June, 1739; moved to Goshen after 1761.

men having owned certain lots in less than that number of years. This shifting population, of course, was largely due to the uncertainty of title, and the ups and downs of the Susquehanna Company. A generation ago no doubt much more of interest could have been gleaned concerning them. To one studying genealogy the hint might be given to refer to Harvey's forthcoming "History of Wilkes-Barré," or to the publications of the Wyoming Historical Society.

Aside from all this undercurrent of New Stateism, the annals of the settlement for the first few years are somewhat meagre. It is curious that Lockhart did not press his claim, no records whatever being found between 1785 and 1797.

Except for the "Wild Yankee" movement, the little settlement in a fresh wilderness must have seemed very quiet after the various horrors connected with Wyoming. Little is really known of the movements or actions of these pioneers; there are many problems, and while it has been asked "Why be concerned with problems when there are *plenty of deeds done* to record?" it is desirable to have an exhaustive narrative; and often only diligent research can dispel the mists of foolish or inaccurate family traditions.

Doubtless the greatest excitement in early Athens was the murder of the Indian chief Ka-nau-kawis, called by the whites Capt. Cornelius, who lived in a bark cabin on the lot now occupied (1907) by Vine Crandall. It is probable that this was the murder witnessed by John Shepard in Hollenback's store. The following account best tells the story:

Extract from the *Cumberland Gazette*, published at Portland, Maine, Sept. 6, 1787.

"Baltimore May 21.

"Extract of a letter from Chemung, dated July 6, 1787.

"Cornelius Sturgeon, the great Onondago Chief, was murdered last month at Tyoga Point, by one of his own tribe and a towns man. It appears to have been a premeditated piece of work, and had its rise from two causes: First, he was an absolute despot in his tribe and imposed an implicit compliance with his orders, he was punctually obeyed through fear, not love. Secondly, he began to adopt the dress and customs of the United States, and introduced them into his family—this gave great umbrage. And as he was a man of some literature, he had some idea of the great value of letters, and the evening on which he was killed, in conversation with Capt. Spalding, he informed him that he intended to send his son to some of the American colleges for education.—The friends of the murderer purchased his life for a sum of money not exceeding 375 L.—A poor recompense for the life of a great man, and too much for that of a tyrant."

About this time (there seems to be no record of exact date) there was a great excitement over another murder, called the Collins murder, but really committed by Collins, a man who lived across the Chemung, about where the tannery settlement is. A number of so-called civilized Indians lived along the Chemung narrows, probably Saponies, Tuteloës, Monseys or Delawares. At any rate one of them made his living by chopping wood for the settlers. Collins is supposed to have been a hunter and trapper from New Jersey, living here temporarily to obtain furs and skins. He was very fond of liquor, and on this occasion had been too long at Hollenback's store, where the bowls of toddy had

made him crazy drunk. On his return home he said to his wife: "I'm going to kill that Indian," who was chopping wood quietly outside. And in spite of her entreaties he seized his gun and shot him dead. "In less than three days 150 Indians ready for revenge were on the ground." They demanded that Collins be given up to them, and were with difficulty pacified with a generous present of whisky, provisions and deerskins. Mrs. Perkins tells a somewhat different story (see "Early Times," page 75), but as there is no radical disagreement, it seemed worth while to give this version.

The body of this Indian is said to have been buried in the back part of the old cemetery. (In this connection we would say that there were, according to the different reports, various councils with Indians at Tioga Point of which there are no certified records.) Unquestionably some sort of a council of whites must have been necessary to settle this matter. It is possible that the already mentioned murder of Capt. Cornelius occurred at this gathering, when the Indians were all in excited mood. Mrs. Perkins relates that they were still very unsettled, often returning to Tioga Point and creating disturbances and alarm, though many were friendly.

What was probably the first suit in the local land controversy that was tried in this locality was in 1789. It must have been intensely exciting and interesting, and apparently scored a triumph for Connecticut, as the Pennsylvanian plaintiff soon after moved over the line. It is best told in Joseph Kinney's account of it:

"In 1789 the Penna. title operated much in this country, enforced against Connecticut people, Miller (William) brought a claim against Matthewson, Satterlee and others,¹³—I think a forcible entry. It was tried before Esq. Carpenter, who came up from Kingston to Tioga Point to hold the trial, the parties with consent of magistrate, referred the whole dispute, & entered into arbitration bonds.—Esq. Carpenter, Samuel Swift & Myself were the arbitrators.—I heard all the dispute. Miller claimed a possession *in order to get a Pennsylvania title*.—Matthewson met him on the right of possession. An award was made out in writing, and given to Esq. Carpenter. *We were not to take the Connecticut title into consideration at all*. Matthewson laid no claim before us on the Connecticut right, that being excluded. Hurlbut's possession was set up in opposition to Miller's."

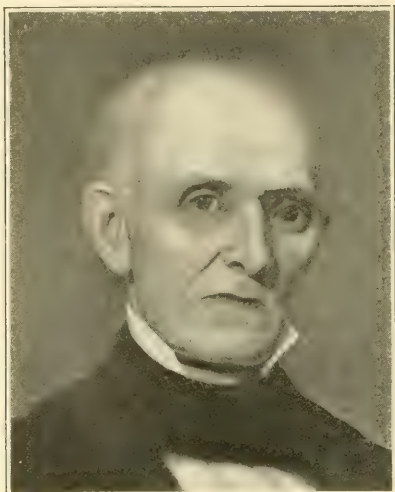
In after years it was claimed this award was never paid. Kinney said Hurlbut did not live on the land after Miller came; that he never moved his family up, but returned to Wilkes-Barré after a brief residence.

The handful of settlers had another source of contention. The uncertainty as to the actual State Line rendered possible the claims of certain squatters who insisted they were in New York. While Lockhart or his representatives do not seem to have been on the ground, Colonel Erwin,¹⁴ who had drawn a number of the Pennsylvania war-

¹³ It will be remembered this was for land east of the Susquehanna, now lying south of road from bridge where Miller settled in 1784.

¹⁴ Arthur H. Erwin was a native of Crumlin, County of Antrim, Ireland. In 1768, with wife and five children, he sailed for America. His wife died on the voyage, and later he married again. He made a settlement in Bucks County, Pa., eventually opposite Frenchtown, N. J. According to the published writings of his descendants, Chas. H. Erwin of Painted Post, and Arthur Erwin Cooper of Cooper's Plains, the town was named for him Erwin. Possessing abundant means, he became one of the keenest land buyers in the country, and

rants, was. He made a choice of lands between the rivers above the Indian Arrow, also west of the Chemung, in 1785, and soon after he added lands in New York State. Possessed of ample means, and having a large family (ten children) he was evidently resolved to provide them with a goodly heritage. Unquestionably he went over the line seeking to avoid the Connecticut controversy. Erwin made a settlement at Tioga Point in 1788, and brought as his agent, and probable



Daniel McDuffee

of the triple valleys of the Chemung, Conhocton and Tioga, with which he was so impressed that he came down and ascended the mountain on

purchaser, his old friend Daniel McDuffee,¹⁵ who followed him from Ireland, and had been living near him in Bucks County. They were at once and continually harassed by both squatters and Connecticut claimants, and Erwin began to consider buying land in the Phelps and Gorham purchase.

The story of his later purchase is as follows: In 1789 he started for Canandaigua with a drove of cattle, presumably from his Tioga Point settlement. Stopping at Painted Post to rest his drove, he hired an Indian familiar with the locality to take him up the mountain north of Painted Post. Here he had a view

was proprietor of a large tract along the Delaware. He served during the Revolution in the patriot army, and for his valor was made Colonel of a Bucks County Regiment, and is still known as "Colonel Erwin." He was cruelly murdered at Tioga Point, June 9, 1791.

¹⁵ The McDuffee Family. Daniel McDuffee was born 18th February, 1752, in the north of Ireland, of Scotch parents, who had been driven from Scotland for religious reasons. He married, in Ireland, Dorothy Ladley, and three children were born there, one of whom, Anna, born in Belfast in 1782, was later the wife of Francis Tyler. The family came to America probably in 1786, and settled in Bucks County, where the fourth child, Daniel, was born. It is told by the descendants that Erwin and McDuffee were such firm friends that it was agreed between them that McDuffee should have as much land as he wanted at cost price, as he had less to invest than Erwin; but that at the time of Erwin's assassination no choice had been made, although the McDuffees had been there two or three years, and had built a timber house about on location of Frank Herrick house (near the Chemung River). Daniel McDuffee had resolved to take up land at Painted Post, but after Col. Erwin's murder his sons, on account of the evident feeling against their family, urged him to remain at Athens and buy the Erwin lands there, offering even better terms than their father had. Naturally, he embraced their offer. Nine children were born at Athens; Hugh, Samuel, Joseph, Ferdinand, John, Charles, Rebecca and Dorothy.

Daniel McDuffee was a noted weaver, and there is to-day in Tioga Point Museum a coat of silk and linen material woven by him, and worn by Ferdinand, who was a great beau and dandy. His skill was inherited by at least one daughter, Dorothy, for there is also in the Museum a ladies' sun hat of finest straw, plaited by Miss Dolly from straw grown on her father's farm. It will be seen that this family settled here apparently just as early as the Connecticut people, and we think no other family of a pioneer lives to-day on the land originally possessed. The next generation of McDuffees were engaged in staging and mail business with the Saltmarshes and Tylers, for many years, mostly in the Southern States.

the other side, thus commanding a wide prospect. He then quickly returned to the log hut of the surveyors of Phelps and Gorham; and directing his drovers to follow, hurried under the Indian's guidance to Canandaigua. Though late in the afternoon, he went at once to the office of Phelps and Gorham, made an offer for the tract (later known as town of Erwin), asking them to take in payment his cattle at their own price, and promising the rest to be paid in gold. The bargain was closed in the morning. His historian says: "Within twenty-four hours after the deed was signed, Judge Eleazar Lindley arrived with an offer for the same land." The reason for Col. Erwin's haste was no doubt because he knew that Col. Lindsley was on his way to make this very purchase. They were probable acquaintances, for both were from New Jersey, and both had served in the army.

Lindsley was with Sullivan's army, and, like many others, had observed the fair land, and resolved to possess it. Unquestionably, Erwin told a good story on his return, as the very next year, 1790, three of the original proprietors of Athens¹⁶ joined with him in the purchase called "Old Canistear Castle," now known as the towns of Hornellsville and Canisteo; which statement is corroborated by deeds and records showing that these men made transfers of their Athens property this year. This not only proves that the pioneer settlers at Tioga Point were uneasy about their Connecticut titles, but that they were in friendly relations with Erwin, and that his assassin may have been one of the so-called New York squatters. And yet it must be admitted that Col. Erwin had troubles as a Pennsylvania claimant. We have taken pains to study out this matter for various reasons. Erwin has been called a surveyor (which he was not), many of whom suffered at the hands of the "Wild Yankees." He has also been confounded with James Irwin, who had no connection with him. The McDuffees were living here as early as 1788; whether in the home, built on almost the same spot as the Curran Herrick house, still standing, northwest of town; or in a log house owned by Col. Erwin (which, according to the daughter of Matthias Hollenback, and Major A. Snell, stood on the west side of the Chemung River, about twenty feet from the present road below the old McDuffee house now owned by Els-bree family) we will not assert. Nor is it important to decide whether it was in the day or evening, through door or window, that he was shot. In 1791 he brought two of his sons, Samuel and Francis, up the river to settle on the Phelps and Gorham tract, and superintend his business interests there. His biographer says:

"On his return he stopped at the house of Daniel McDuffee one of his tenants near Tioga Point, and as he sat in the evening listening to Mr. McDuffee's flute a shot was heard, he suddenly arose, and staggering towards the open door said "I am shot," and then fell. He lived but a few hours.¹⁷ Suspicion immediately attached to an ejected squatter by the name of Thomas, who the same night stole a horse (or, as was strongly suspected at the time, he had been supplied with one) and was never after heard from. Judge Avery in his address before

¹⁶ Solomon Bennett, Joel Thomas and Uriah Stephens.

¹⁷ Our oldest inhabitant, Miss Polly Lowe, aged 93, tells the story that Erwin was listening to Mr. McDuffee's flute; that Mrs. McDuffee sat in the doorway sewing; dropped her thimble, and as she stooped to pick it up the shot went over her head.

the Pioneer Association at Athens in 1854 in alluding to this sad but dastardly murder said 'About that time there was some difficulty regarding the State Line, or of the Pennsylvania and Connecticut charterists; the squatters claiming that these lands were within the State of New York or came within the Connecticut chart, threatened to shoot the first person who should purchase or settle on them, they claiming title by occupation. Col. Erwin was the first and only victim, and the prompt investigation of this murder either frightened them away or forced the cowardly villains into lawful obedience.' The late Judge Avery was of more than ordinary legal attainments, and though his statements were entirely new to us, we are not inclined to contradict them."

It must be acknowledged that Avery was somewhat in error. While there may have been prompt investigation nothing came of it, the assassin escaped. It seems strange that Judge Avery, with his ability and love of research, did not follow up this matter, as it is now impossible to do; perhaps just as impossible then. There can be added to these chronicles what would seem to throw some light on this matter; a letter from Col. Erwin himself, which lay for many years unnoticed at Harrisburg, but now to be found in Pennsylvania Archives, Third Series, Vol. XVIII, page 614, addressed to Governor Mifflin:

Sir:

April 5, 1791.

Perhaps it may appear somewhat extraordinary to carry a Complaint before the Chief Magistrate of the State, where the Laws of the land have pointed out the more regular Mode of pursuing the Means of Redress but as this, Sir, is an extraordinary case, it may probably be a sufficient excuse for the irregular Mode of proceeding in it. You are not now to learn the troubles and embarrassments which the Connecticut claimants to Lands in the County of Luzerne have for a series of years past from Time to Time involved Pennsylvania. It will not be necessary, I conceive, to enter into any investigation of that Business. The existing laws, were they carried into effect, would be sufficient to answer every purpose. My present application to you, however, relates to myself only. When the Land Office was opened in the year 1785, and the choice thereof determined by Lott, I became an adventurer for about Five Thousand acres in Luzerne County, adjoining the New York line, and without the Limits of any of those Townships comprehended in the late confirming or quieting Law, since repealed. These Lands, which lay upon the Tioga above the Point, I immediately patented, settled, cleared and improved, not doubting but the Commonwealth of Pennsylvania, under the solemn Faith of which I had purchased and paid for them, would protect me in the possession and enjoyment of my Property. I have been almost the only man who has, in that Country, asserted the Claims under the Government of Pennsylvania to the Lands in Luzerne, by which I have not only subjected myself to Insult and abuse, but on more occasions than one been in eminent Danger of my Life, not from Threats merely, but by actual assault, and that of the most aggravated nature.

When in August, 1789, I was in that country cultivating my own ground I was obliged to have Recourse to the legal steps to recover some Rent due to me from a person who occupied a part of my Land there under verbal Lease, and when the property distrained was in the Hands of the Officer, the Tenant with several others came and forceably resqued it, not satisfied with this outrage, they attacked me and one of them with the Handle of a pitch-fork broke one of my arms and beat me in such a manner that I very narrowly escaped with my life. I then took the usual steps to have him prosecuted for a Breach of the peace, but, altho' every necessary proof was made of the Fact, in that country he escaped unpunished. In the course of the last Summer a number of persons who call themselves Halfshare men, a Description of people, who I believe from principle and Habit, are not likely ever to be good or useful citizens of this or any other Country, came within my enclosed grounds at a Time that I was absent, cut a quantity of Hay, and to the Labourers who I had there employed, used many Threats against my Person. After I had hauled in the Hay which

my people had made, together with what they had cut on my land, they came and forceably took it away, still using Threats; soon after they took from my Labourers a quantity of Indian Corn in the same manner, which circumstances the Depositions of Daniel McDuffee, Sarah Redford and Dolly McDuffee make appear. It is true the Effects which have been violently and unlawfully taken from me are of no great value or magnitude, but if the persons who have thus flagrantly broke in upon my property escape with Impunity, the property of no Pennsylvanian will be safe from their Depredations. I have not taken any legal steps to obtain Redress, well knowing the fate of my process in the County of Luzerne, where a Pennsylvanian is a party; of this indeed I have had sufficient experience. I trust, however, that the Commonwealth of Pennsylvania will do me ample Justice and no longer suffer her laws to be trampled on, her Dignity debased, and her citizens injured and abused by a set of people who have ever discovered a Disposition obnoxious to the Laws and Government of this State. I have, therefore, made my application to you, as the supreme Magistrate of the State, and from your prompt Decision and public spirit, I hope such measures will be taken as to secure me in the Enjoyment of my property in the Country, as well as to protect me from the Danger which from the constant Threats of those people I conceive my life to be in while among them.

With every sentiment of Respect, I have the Honor to be, Sir,

Your most obedient

And very humble Servant,

ARTHUR ERWIN.

Apparently this was but a few weeks before his death, which was a sad ending to an active and useful career. Had he lived, with the great tracts he held in and about Tioga Point, he would have been a notable factor in the town-making. According to Matthias Hollenback, his body was conveyed in a boat down the river and carried over Wilkes-Barré Mountain to Erwin for burial.

The consternation that this assassination cast over the little community at Tioga Point can hardly be imagined. Col. Franklin and other prominent Connecticut men were supposed to be in collusion with the murderer. Franklin's diary merely records, "I was working for Satterlee and Matthewson the day that Col. Erwin was killed in that year." Matthias Hollenback always suspected a man named Harris, possibly Samuel Harris, who had squatted on land at Painted Post in Erwin's purchase. (After writing above sketch further information was received from Mr. Cooper, with annexed newspaper notices, which we have no reason to think have been reprinted since original publication.)

Under date of June 20, 1791, Claypoole's *Advertiser*, Philadelphia, published the following proclamation:

"By Thomas Mifflin, Governor of the Commonwealth of Pennsylvania.

"WHEREAS, information has been given to me under oath, that about an hour after night on Thursday, the ninth day of this instant, June, ARTHUR ERWIN, late of the county of Bucks, in this Commonwealth, esquire, while peaceably sitting with sundry other persons, in the house of Daniel McDuffee, in the county of Luzerne, received a wound with a bullet, which was discharged from a gun into said house by some person unknown, and of which wound the said Arthur Erwin then and there instantly died. AND WHEREAS, there is great reason to presume that the said wound was wilfully and maliciously given with the intent to kill the said Arthur Erwin as aforesaid; and the justice, energy and dignity of the Government require that the most effectual measures be pursued for discovering, securing and punishing the perpetrator of so heinous a murder, his aiders and abettors. THEREFORE, I have thought it proper and necessary to issue this Proclamation, hereby offering a reward of Two Hundred

Dollars to any person or persons who shall discover, apprehend and secure the perpetrator of the said murder, his aiders or abettors, to be paid upon the conviction of them or any of them. AND besides the reward aforesaid, I do further offer and promise to any one of the persons who may have been concerned in contriving and committing the said murder, (the actual and immediate perpetrator thereof excepted) a full and free pardon for the same, upon condition that he shall and does disclose the name or names of his accomplice or accomplices, so that such accomplice or accomplices may be apprehended, tried and convicted. And all Judges, Justices, Sheriffs, Coroners, Constables, and other officers of this Commonwealth, according to the duties of their respective stations, are hereby required and enjoined to employ all lawful means for discovering, apprehending and securing, trying and bringing to justice, as well the perpetrator of said murder, as all other persons aiding and assisting therein.

"GIVEN under my Hand and the Great Seal of the State, at Philadelphia, the 20th day of June, A. D. 1791, and of the Commonwealth the Fifteenth.

THOMAS MIFFLIN.

"By the Governor:

"A. J. Dallas, Sec'y of the Commonwealth."

In addition to the above reward, we the subscribers, promise and engage to pay Five Hundred Dollars to the person or persons, who shall discover, apprehend and secure the assassin who, on the night of the 9th inst., murdered Arthur Erwin, Esquire, of Bucks County, at Tioga Point, in the County of Luzerne, on conviction of the perpetrator and his execution for the same.

(Signed) John Mulhallon,
Samuel Erwin,
Joseph Erwin,
Wm. Erwin,
Hugh Erwin.

Subsequently, in the news column of the *Advertiser* (July 6) appeared the following:

"A man is committed to the Easton jail on suspicion of being the murderer of Arthur Erwin, Esquire, as mentioned in the Governor's Proclamation. Very strong presumptive evidence has been brought against him, nearly sufficient to show that he was the perpetrator of the desperate act."—Nevertheless, it does not appear that any person was ever convicted, or perhaps even brought to trial for Mr. Erwin's murder: a cloud of mystery faintly illumined by the uncertain glimmer of conjecture, has, and in all probability will ever, envelop the motive as well as the mover in this early deed of darkness. Though evading human justice, not less sure the retribution of that unerring and higher tribunal to which he has doubtless long since passed away."

That there was a trial, however, is proven by the following, the only record found, although diligent search of court records has been made. In the petition of Alexander Patterson, Commander of Pennsylvania troops at Wyoming in 1769, addressed to Pennsylvania Legislature, is found this extract in a harangue against Yankee intruders generally, and Col. Franklin especially:

"Nor because it is believed he controlled the verdict which acquitted Joel Thomas of the barbarous murder of Col. Arthur Erwin, a gentleman of large property and much respected."

This leads one to infer that *there was a trial*, though no record has been found. Probably it was Joel Thomas who was arrested and confined in Easton jail. Yet he was later a well known and apparently respected citizen of the southern tier.

Among the Erwin papers is a quit claim deed drawn up in 1815, and labelled "Release to the Heirs of Arthur Erwin by Those who

claim under Connecticut." John Shepard's is the only signature; although there is another deed for certain tracts which has several signatures. An examination of the warrant map in last chapter shows how extensive were the Erwin lands. It is certainly an interesting fact that Col. Erwin was the only one to take up his lands in person, and that the McDuffees, his first tenants or purchasers, are on some of the lands to-day.

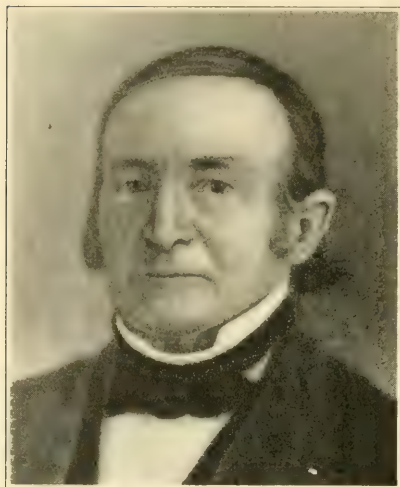
While his name was not on list of original proprietors, without doubt Joseph Tyler was one of the earliest settlers, coming from Orange County, New York. At a very early date he had lot No. 24 in village plot (now Hulon C. Smith's), and possibly he had all of William Jones' allotment, which would include the upper part of present Tyler farm. Joseph Tyler was a victim of the land controversy, receiving a blow on the head from an unknown assailant, which impaired his reason; his property was sold for taxes and his family had no visible means of support. He had, however, an industrious son as he grew up, Francis Tyler,¹⁸ who was born October 1, 1787, at Middletown, New York, and came to be one of the wealthiest and most respected citizens of Athens. The farm, which he purchased with the results of his industry in 1818, is still held in part by his heirs, the rest having been divided up into building lots and sold. It seems probable that this family was a connection of Ephraim Tyler, one of the first forty settlers in Wyoming Valley. Francis Tyler was a lumberman as well as a farmer, and also engaged for a time in the mail and coach business in the South with the McDuffees.

Another who should be classed with the pioneers is Joseph Spalding,¹⁹ a relative of Simon Spalding. As all of his family papers were burned with the home, it is difficult to construct a full narrative of this family. It is not known that they ever lived at Wyoming, but Joseph Spalding was one of the original proprietors of the final grant of Ulster, July 21, 1786; family tradition says he came two years earlier to Shesequin. In 1791, or earlier, he purchased lots Nos. 10, 11, 12 and 13, second division of Athens, west of Chemung River. On lot No. 10 he erected a log house, which stood until recent years on the hillside

¹⁸ Francis Tyler, married 25th November, 1810, Anna, daughter of Daniel McDuffee, and had six children who grew to maturity. Mary A., m. Alonzo Long of Troy; Eliza, m. Curran Herrick; F. Armstrong, m. Cynthia Spalding (daughter of Robert Spalding); Jane, m. M. Pomeroy of Troy. The descendants of these are well known in Athens and vicinity. Hugh and Charles Tyler died unmarried; Hugh was a brilliant lawyer and statesman. Since writing narrative we have learned that Joseph Tyler was said to be the son of Ephraim, the early Wyoming settler, an assertion borne out by the fact that he had a son Ephraim; he had also Caleb, Sally and Archibald, all of whom seem to have come to the valley with Joseph, and were afterwards scattered. Joseph's wife was Jane Armstrong.

¹⁹ Joseph Spalding was born June 7, 1735, at Plainfield, Ct., a descendant in the fifth generation from Edward Spalding, who settled at Braintrim, Mass., in 1633. His first wife was Eunice Shepard, daughter of Capt. Simon Shepard, probably of New London. They had six children, Welthia, m. Benedict Satterlee; John, Howard, Jared, Rachel, m. Daniel Snell; Sarah, m. ——— Hamlin. Joseph married again, Anna, widow of Abraham Snell, and they had two children, Simon, who married a daughter of Abner Murray, and lived and died at Milltown, and Celestia, who married Isaac Morley, 3rd, many of whose descendants are still among us.

John Spalding was born October 22, 1773; he married, in 1800, Elizabeth, daughter of Dr. Amos Prentice. He had ten children: George, Owen, Amos, William, Julia Ann, Joseph, John, Jr., Edward, Harriet, Jesse. Most of his sons settled in the West. Julia Ann m. Rev. Curtis Thurston, and lived and died on her father's homestead, still owned by her son. Jesse Spalding was the well known lumberman of Chicago, to whom Athens is indebted for its Museum-Library. Joseph Spalding d. 1832. John Spalding, 2nd, d. 1852.



*John Spalding*²

just below Morley's Crossing. A picture of this house is in the Museum. Lot No. 13 was, in October, 1794, deeded to his son, John Spalding, and is still owned and occupied by John's grandson, Joseph S. Thurston. John Spalding was an active citizen of Athens, holding many local public offices; he was the first sheriff of Lycoming County, and the second sheriff of Bradford County, appointed December 9, 1815. While he had a large family, the only son who lived and died in the valley was Owen, the well-known citizen and benefactor of Waverly.

John Spalding, 2nd, always signed his name as given to distinguish from John of Sheshequin. Joseph Spalding sold lots Nos. 11 and 12

to Isaac Morley, Sr., and the property is still in the Morley family.

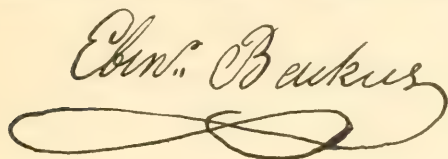
Joseph Spalding served in the Revolution, and used to say he had been Captain by sea and by land. Very little is on record of Joseph Spalding, except that he was one of the original proprietors of the old Academy.

There was still another Spalding in Athens Township: William Witter, descendant from same ancestor as Simon and Joseph; settling at Sheshequin, he married his cousin, Rebecca, daughter of Simon, and moved to the farm east of town (now occupied by the Colemans), occupied later by his son Robert, many of whose descendants now live in Bradford County.

The settlers are filling in rapidly now, it is difficult to keep track of them. The summer of 1790 an unusually large party of colonists for New York State arrived, headed by Erwin's friend and rival, in the Phelps & Gorham tract, Lieut. Col. Eleazer Lindley, of Col. Oliver Spencer's 5th Regiment, New Jersey, who was in the Sullivan expedition. He had made a purchase next to that of Erwin, called Lindleytown, now in Steuben County. He brought with him a colony of sixty, including his own large family and several sons-in-law.²⁰ The arrival of this party made a great stir at Tioga Point, the more so because

²⁰ From Bath Centennial, published 1893: "Col. Eleazer Lindley, a native of New Jersey, and an active officer of the 'Jersey Blues' during the Revolutionary War, rode through the Genesee country previous to the year 1790, to find a tract of land where he might establish himself, and gather his children around him. In the spring of 1790, Col. Lindley started from Morristown, New Jersey, with a colony of about forty persons, who, with their goods, were transported in wagons to the Susquehanna. At Wilkesbarre the families and baggage were transferred to *seven-ton boats* and poled up the river, according to the practise of emigrants; while the horses and cattle, of which there were thirty or forty, were driven along

one of Lindley's son-in-laws was taken sick here, and had to be left behind. A most fortunate illness for Tioga Point, for it gave the settlement its first regular physician, Doctor Stephen Hopkins. Moreover, it made a link between the towns, and brought later one or more wives to other pioneers. Ebenezer Backus was one of the sons-in-law,



and may have come with this party, but it is quite likely he active in the Susquehanna fore. His father, of same name, belonged to Windham, Connecticut, and was very active in the Susquehanna

Company. In 1769 he was given the disposal of twenty rights in northern Pennsylvania, with the proviso that he was to have one right as a recompense for his services and expenses. These rights were sold at £12 apiece. He was appointed one of the Committee who came on with the first settlers at Wyoming. In 1771 he supplied some assistance to the ejected settlers, for which he was to be recompensed. Little is known about either Ebenezer, though later the younger was actively connected with Athens.

Col. Lindley had a number of slaves, and one or more was given to each married daughter. Old Cato, long the faithful servant of Francis Tyler, was the son of one of these; also Black Nellie and Aunt Betsey, well remembered by the older people, who, though freed in time by law, continued to live in Athens. In 1896 there died near Rome, New York, a colored man over 100 years old, who called himself "Edward Hopkins," and told of Tioga Point families. Doubtless he or his kin had belonged to Mrs. Ebenezer Backus or her sister.

Mr. Backus' active connection with Tioga Point at a later date is to be found in a subsequent chapter.

Let us now return to our friend Col. Franklin, who lay in prison for many weary months; suffered every indignity; was seriously ill; and it is generally represented was ever after broken in health and spirits. There are some new lights on Franklin. We will not relate his harrowing experiences, but correct some errors, etc. He was brought before the Supreme Court, sitting at "Wilkesborough, Nov. 8, 1788, indited on a charge of High Treason, in endeavoring to subvert the government, and to erect a new and independent state in the room and stead thereof," one charge stating that "a paper subscribed by him had been posted, inviting the people to throw off allegiance to the State of Pennsylvania and to erect themselves into an Independent State." The trial was postponed, and he was remanded to jail, this time at Easton. *Here Miner states that he was soon released on bail, and that Christmas of 1788 found him at liberty.* But Franklin himself says, in a sworn deposition, given in a suit at Athens, "*I resided*

the trails, or rude roads, on the bank. On the 7th day of June, 1790, the colony reached the place of destination. (See note end of Chapter.)

"Two sons of Col. Lindley, Samuel and Eleazer, and four sons-in-law, Dr. Mulford, Ebenezer Backus, Capt. John Seely and Dr. Hopkins, started with the colony from New Jersey. Dr. Hopkins remained at Tioga Point to practise his profession."

nearly two years in Philadelphia from Oct. 1787. * * * In Sept. 1789 I came home from Philadelphia to this place" (Athens). Here use is made of Franklin's papers found in Edward Herrick, Jr.'s collection.

The following letter is conclusive proof that Miner was in error when he stated that Franklin was released in December, 1788:

Sir,

Philadelphia, May 18th, 1780.

Yours of this day I received with the account of James Elliott. I return the sd acct enclosed, have examined its contents, and certified the same to be true according to the best of my knowledge—I cannot recollect every particular, I kept no Acct but believe that I had the several articles mentioned. I was taken sick the 21 day of July -88 as near as I can recollect, and believe that was the day, but I cannot be so particular about the time of my recovery. Mr John Clendennen attended me about eight days—after that Simon Gore was my nurse—As to the wines charged by Mr Elliott, they were used by me by the Direction of my Physician for the recovery of my health, the other liquors from the time I was taken ill until near the close of September were mostly used by my nurse and others who attended me in time of my illness. I have had my subsistence from Mr Elliott such as Victuals, drink, washing and mending during my Imprisonment in this place, but I cannot recollect all the particulars such as Spirits, Tobacco, &c at so many different times, but believe I had what is charged.

I am Sir your most Obt

Servant

J. Nicholson Esq.

Compt Genl.

John Franklin.

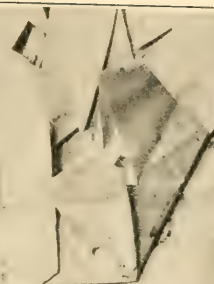
In addition to the original of this letter, there is in Tioga Point Museum, the bill herein alluded to, and many others for board, also the original receipt from Colonel John Craig of 300 pounds "*pd. him as a reward for apprehending and securing John Franklin under order from Council, 6 Oct. 1787.*" On the back is written the following:

"On presenting this order to Mr Rittenhouse, Treasurer, he informed me that at present he could not pay it. But on meeting John Lukens Surveyr Genl he said that he would advance the amt. to enable me to make a dividend forthwith to the Gentlemen who had rendered such essential Service to the State. And paid me three hundred pounds accordingly "John Craig."

Other receipts show that Franklin was "removed from Easton to Wyoming gaol October 30, 1788"; returned to Easton, November 17th; from Easton to Wyoming and return, December, 1788; from Easton to Philadelphia, January 8, 1789; from Philadelphia to Easton, May 24, 1789. This would indicate a second trial at Wilkes-Barré in December, 1788, and gives no account of interval from May to September, at which latter time Franklin deposes he was discharged.

There is a document, *not recorded in history*, which is with a different collection of Franklin papers, probably unseen since his death until now.²¹ It is labelled in Franklin's own hand, under date of 1792, "*Absolution from Govr. Mifflin.*" It is here reproduced:

²¹ There is another Franklin Mss. in Tioga Point Museum, Craft collection, copied by Mr. Craft from papers of Steuben Jenkins, being an extensive account of the title of the Susquehanna Company, in connection with the case of Richard Fenn, *Lessee of Archibald Stewart vs. William Slocum*. This manuscript seen by the historian Miner closes thus: "We continued firm and united in our resolutions until the County of Luzerne was established, and the confirming law took place which put a stop to new settlements being made under the authority of the Susquehanna Company. * * * I will remark a large number on the West Branch of Susquehanna had proposed to join us, and extend the claim of the company into that part of the county. A committee was appointed in 1786, and sent to Wyoming for that purpose." Here Franklin ignores all the later activity at Athens, probably as not bearing on this case. It is of interest to-day that Archibald Stewart was the grandfather of our townsman, C. S. Maurice. He had an extensive Pennsylvania claim east of the Susquehanna River, ending near Tunkhannock, and the famous suit of Van Horn vs. Dorrance, "the only one brought to trial," was concerning some of Archibald Stewart's original purchase.



 In the Name and by the authority of the
 Commonwealth of Pennsylvania
 Thomas Mifflin Governor of the said Commonwealth
 send a return to these presents shall come. Sends Greeting
 Whereas it appears that at a Court of Oyer and Terminer and General Jail Delivery held at Philadelphia for the
 County of Luzerne the fourth day of November in the year
 of our Lord one thousand seven hundred and eighty eight
 Before the Honorable Thomas Willm. Egerton Esq. Chief Justice and the Honorable Justices
 of the Supreme Court of the Commonwealth of Pennsylvania John Franklin
 late of Philadelphia in the County aforesaid Yeoman was lawfully indicted and
 for High Treason and upon such indictment arraigned and pleaded not guilty but he
 was not yet been put upon his trial for the said offence & that whereas the
 possibility of granting a pardon to the said John Franklin, under the peculiar circumstances at-
 tending the case, has been suggested to me, by all the Judges of the Supreme Court of the Common-
 wealth aforesaid, for that, in their unanimous opinion, a trial of the offence aforesaid, after so con-
 siderable an interval of time has elapsed, will not contribute to the general interests of the
 Commonwealth: I now know ye that in consideration of the premises, and in
 full confidence that the said John Franklin, having repented of any unlawful acts which
 he may heretofore have committed, is disposed to do and remain a good and faithful Citizen
 of the Commonwealth, I have granted and by these presents I do grant unto the
 said John Franklin a full and free pardon for and on account of the said offence of
 High Treason whereof he was indicted as aforesaid, and for and on account of any other
 crime or crimes of High Treason, or of Misprision of Treason, of him in any way heretofore committed.
 Given under my hand and the great seal of the State at Philadel-
 phia the ninth day of January in the year of our Lord one thousand
 seven hundred and ninety two and of the Commonwealth the first year.
 T. Mifflin
 Governor

Franklin has not recorded where he spent the winter of 1789 and 1790, and curiously enough he makes no mention of his children. Doubtless, he was at Wyoming courting. His deposition aforesaid states that he found Matthewson living in his house, and "Satterlee living over where he lived later and building where he now lives." (This shows that Satterlee must have lived in some temporary house across the river.) Records show that in December, 1789, Franklin purchased some lots from Nathan Denison. It is not known what his arrangement was with Matthewson for the town lot; Matthewson continued to reside there, and in 1793 Franklin sold to Andreas Budd, and he to Matthewson the same year. Franklin's deposition proves that when the town was allotted Dennison evidently intended to settle here, taking great pains in selecting lots. He must have contemplated association with the capital.



Noah Murray

It is easy to fancy that when Franklin was released and came to "Tioga," as he writes it, there was great rejoicing, and a "gathering of the clans" at the biggest house in the community. His old comrades Swift, Satterlee, Stephens, Slocum and Matthewson must have been first to welcome him. And then all the loyal Connecticut people from Ulster and Sheshequin; the Spaldings, Kinneys, Smiths, perhaps the Gores, the Shepards, and the Harries, and perhaps the new Justice of the Court of Quarter Sessions, Noah Murray.²² Oh, it was a goodly company! No doubt after the joyful welcome was over, the assembled guests held an indignation meeting over Franklin's prison experiences;

²² Noah Murray, the ancestor of the family still living in the valley, was born at Guilford, Ct., April 11, 1748. He was the son of Jehial Murray (and Mary Way), son of Jonathan Murray (and Anna Bradley), the first American progenitor, supposed to have come from the Highlands of Scotland, a farmer and shipbuilder. Noah was one of nine sons whose descendants are scattered across the continent; but not of the same family that settled in New York City, or of the Southern family; though doubtless the Scotch ancestors were the same. His youth was spent at Kent, Ct. On the first call for troops he enlisted in April, 1775, and again May 6, 1777. After active service in the Revolutionary War (of which there is full record at Washington) he became a Baptist preacher. Some time later, armed by the courage of his own convictions, he began preaching the doctrine of Universalism, at about the same time that this new creed was introduced into America by John Murray, with whom Noah has often been confounded; (there is no known tie of blood between them). Noah seems to have

and in the light of after events, Franklin may have at once forgotten his pledge of allegiance to Pennsylvania, and made suggestions for continuing the struggle, perhaps even formulated plans for future resistance. Yet there is no word of this in his journal of the period.

For it has been our good fortune to discover in the old Indian basket a daily dairy begun at his permanent home-coming, and in his old home has recently been found a continuation of it, faded, time-worn, almost indecipherable, yet of considerable interest, at least in Athens history. Many entries are of no interest, and will be omitted:

COL. JOHN FRANKLIN'S DIARY.

Monday, April 26, 1790. I left Wilkes-barre at 2 o'clock P. M. on my way to take up my residence. I stayed at Major Jenkins.

27. This is a cold morning. I traveled this day to Osterhute. Stayed all night.

28. Took breakfast at Stepn. Jenkins. This is a cold day, squalls of snow, rain and hale. I stayed all night at Wigton's. (Meshoppen.)

29. I crossed over to Mr. Parks. Gave up his note and took a note against Prince Alden, and one against Joseph Beach. I traveled this day to Hancock's, Wyalusing.

30. To Fits Gerald's. I took a fawn from a Wolfe. Supposed the Wolfe to be a Dog untill it was too late to kill him.

Sat. May 1. Went to Cap't Franklin²³ in the morning, where I stayed untill Tuesday 10 o'clock. I then went to Cap't Satterlee's at Tioga.

3. Crossed to Mathewson's. Cap't Satterlee sat off with his Company to attend the Review at Wyalusing.

May 4. I have been sowing wheat for Mathewson and Satterlee. I stayed at Mathewson's.

5. I was ploughing for a garden the largest part of the day.

6. A rainy night. Cap't Allen from Kingston is at Mathewson's this morning.

Sun. 9. I went with Ira Stephens to the Sugar Works, boiling sap for vinegar. Returned to Ira's about 10 o'clock at night. Jedh. Stephens, Jr. and Wm. Baker sat off this day with their families for Lancaster.

10. I was ploughing for Mathewson.

12. I had a Bushel and about 4 qts of Hemp Seed of Col. Spalding. And 2 bushel of Potatoes of Cap't Joseph Spalding. The remaining part of this week I was to work at my fence.

been fond of moving about; records are found in many Connecticut towns, especially in Kent, Litchfield County. He married Mary Stowe of Middletown, whose direct ancestry we cannot trace, although she was one of the well known Stowes of New England. When they moved to the Wyoming Valley in 1787 they had seven children: Sylvia, Lucy, Abner, Mary, Irene, Elizabeth and Noah, Jr. His residence at Shawnee was very brief, not more than a year. When, for convenience in administering justice, Luzerne County was divided into three districts, Noah Murray was commissioned Justice in the first or upper district 23rd November, 1788, and removed at once to Tioga Point to be near the seat of disorders; he was further commissioned Justice of Peace 1789. When he first came up the river he took possession, as many others, of the Uriah Stephens cabin on Queen Esther's Flats. However, he soon purchased, west of Athens, lot No. 14, the land still owned by his descendants, and built a commodious log house in the primitive pioneer fashion. As was the custom, the numerous children occupied the loft; which was reached not by a stairway, but by pegs driven alternately in the two walls forming a corner. Noah Murray did not forget his new doctrines, and preached whenever possible in various places. He is called the founder of Universalism in Bradford County, and the monument over his grave was erected by the devotees of that creed. He must have been an impassioned speaker, for even grandchildren of some of his first converts say of him with amazing enthusiasm: "Noah Murray! he was the first preacher of all, and after you had heard him you never wanted to hear another." His reasoning was so convincing that he converted those who planned to convert him, even ministers of other creeds. He was present at many Universalist conventions in New England, and in 1807 accepted a call to the Lombard Street Church of Philadelphia; this charge he retained only a year, feeling too old to lead a city church in such stormy times of faith. On his return he made his home in Murraysfield (now Springfield), which was a Connecticut township, granted to him in 1795. He and his son Abner purchased the present Murray farm from the original Susquehanna proprietors, Abner having lot No. 15. Noah sold his portion of lot No. 14 to Abner in 1807. It was soon found that there were two Pennsylvania claims overlapping here, and the papers are still in existence, showing that Abner paid for the property *three times*. Noah Murray died at Murraysfield May 16, 1811. Abner lived and died on the homestead.

²³ This was doubtless Roswell Franklin at Wysox. Fitzgerald's was at Standing Stone.

- Sun. 16. Went to the Sap Works with Satterlee and I. Stephens. Stayed all night.
- May 17, 1790. I was cleaning flax seed at Ira Stephens', had about 30 qts. Stayed all night.
18. Splitting rails a part of the day. I had my ground harrowed for flax.
19. Sowed my flax in the forenoon. Was at work at water fence in the afternoon. * * *
20. * * * *
- Sun. 23. I went to Newtown, Cap't Baldwin's.
24. Returned as far as Ira Stephens'. Had of Cap't Baldwin a bushel of wheat, 1/2 B. of Salt, and Half Bushel of beans. Of old Mr. Baldwin, 1 1/2 B. of wheat.
26. * * * Thunder storms this day. Heavy thunder struck a tree near Kellogg's.
- 29th. * * * I was ploughing and sowing oats on the Point.
- Sun. 30. I was down to Swift's with a canoe. Had a view of fishing but failed.
- May 31, 1790. This morning I began to plough for corn on my lot the east side of the river.
- Sun. 6. * * *
7. * * * I was cutting timber to make fence between me and McAlhoe. Wrote a few lines in the evening to send to Mrs. Bidlack, with a letter wrote the 29th of May.
8. This day I went to Cap't Franklin's in a canoe with Stephens and Hoyt. * * * Bought a barrel of shad for my self and for Mathewson. 112 lbs. in barrel. B. Satterlee is gone to Wyoming. I sent my letters by him.
10. I was ploughing on the point for Hemp.
- Sun. 13. I went to Ira Stephens'. Satterlee and Mathewson and their wives were there.
14. I sowed my Hemp. * * * Had 3 bushel of seed of Mr. Murray.
15. This day a boat with 440 B. of corn gat fast on the riffle. I helped to get it off.
- June 18, 1790. I was planting my corn over. It has been destroyed by worms.
22. Planting corn where it has been destroyed. This day Grand Jury found a Bill against Daniel McDuffee and John Doran upon the complaint of Wm. Slocum, forceable entry and detainer.
23. * * * Went to the deer lick in the evening with Satterlee. This is a cold night.
24. Attended Court at Maxfield. McDuffee and Doran are proved guilty of forceable entry and detainer.
- 25th of June, 1790. This is a wet day. Wm. Slocum is put into possession of his lot by the sheriff. I was present as a witness.
26. * * *
- The month of July begins with dry, hot weather. I neglected at the time to make a memorandum.
- Sun. 4. Messrs. Mathewson, Satterlee and Ira Stephens sat off for the Lakes.
9. I have ploughed Cap't Satterlee's corn. * * *
10. I went to Col. Spaldings' and got some Hemp Seed which I planted where the worms had destroyed the first.
- Sunday 11. Went to meeting at Col. Spalding's with Mr. Satterlee and others. Mr. Murray preached. (Noah.)
19. Satterlee, Mathewson and Ira Stephens returned from the Lakes. (Probably Palmyra.)
- 16 * * * I sent a letter to Mrs. Bidlack and 2 bushel of corn by Sam'l Starks.
17. I ploughed and sowed a little buckwheat, where my oats was destroyed, and in the afternoon I spent a few hours burning brush for turnips.
- Sun. 18. Mr. Murray preached at Maxfield. I attended meeting. He preached from John 1-29, "Behold the Lamb of God that takes away the Sins of the World." * * *

July 21, 1790. * * *

22. I went to New town in company with Messrs. Murray, Swift, Satterlee, Stephens, and Mrs. Satterlee and Mrs. Mathewson. Major Tubbs Battalion met at Baldwin's for Military exercise, &c.

24. * * * I was attending a court at Mr. Murray's. Rudolph Fox. Plntf. and — Williams, Def't. Fox received 13 shillings Debt and near 3*l* cost.

Sunday, August 1, 1790. Cap't Swift is at Satterlee's on his way to Wyoming. I wrote by him to Catlin and Mrs. Bidlack.

2. Cutting Grass. * * *

August 9, 1790. This day I was shocking hay in the forenoon. * * *

10. I went to a deer lick this evening with Satterlee. * * *

16. I was pulling flax.

Th. I was spreading my flax to rot.

20. Began to cut my wheat on the Point. * * *

21. * * * I was taking up and binding my wheat on the Point. Alpheus Harris cradled about 1 1/4 acres. Mr. Moss cut 93 rods of ground with a sickle. I put my wheat in shocks in the field, about 750 sheaves.

Sunday August 22, 1790. This is a pleasant day. Messrs. Mathewson and Satterlee and their wives went to Sheshequin, &c. * * * I went to Ira Stephens this day. Got shirt that Mrs Stephens made for me. * * * Went to the deer lick.

This journal shows first of all that the imprisonment *did not seriously affect Col. Franklin's health*; it seems that he came up from Wilkes-Barré on foot. And he not only goes about his own business, but is helping his neighbors at their farm work. At this time he seems to have resolved to settle on the farm where he lived, died, and was buried. He was a resident in Athens for more than half of his long life; Athens may therefore proudly claim him for her own.

We wish we knew where the Sugar Works had been started; it surely is an old idea to boil sap for vinegar. Eldad Kellogg was living next him, where he had settled in 1784 or '85. Ira Stephens was evidently living on his second location, near the present Tyler farm. John Swift had made his home on lot No. 35, second division (now near Stone House), since Franklin went in a canoe. Robert McAlhoe was established on Patterson's location. June 22nd, court is in session. Maxfield probably should be Maxwell. Here is another title suit: William Slocum, Connecticut claimant, against Daniel McDuffee and John Doran, Pennsylvania settlers, forcible entry and detainer. Grand jury found true bill for Slocum; triumph for Connecticut! "Wm. Slocum is put into possession of his lot by the sheriff." And yet to-day, it is McDuffee land, for it was evidently No. 30 in the third division. Take note that Noah Murray is preaching, alternately in Athens and Sheshequin. July 24th Murray holds court at his own home; the log house must have been crowded! This suit is between Rudolph Fox, the first Towanda settler and one Williams for *debt*, not possessory rights.

Franklin seems to have taken a great deal of pains with his flax, getting ready for his new wife's spinning wheel, doubtless.

Oct. 12, 1790. Annual election. I attended at Col'o Spalding's. Gen. Mifflin had 30 votes for Gov'r. Arthur St. Clare 11. Wm. Montgomery and Charles Smith 20 each for Senator. Obad. Gore 20 and R. Welles 10 for Rep't. &c. John Hagerman had 20 for Commissioner.

- Wed. 13. Rainy. The River Rises. I was this evening at Marshall's with Col. Hooper.
- Oct. 19. Battalion Day. I kept my bed.
21. Crossed The River to my hemp.
- Fri. & Sat. At my hemp. The moon eclipsed Sat. night. * * *
- Oct. 26. A rainy night, last night. Squalls of snow this morning. The ground covered and timber loaded. Squalls continue all Day. * * *
27. Cloudy morning. At the close of the month I was threshing and cleaning my hemp seed. Cloudy, wet weather. * * *
- Nov'b'r, 1790. About the 9th of the month. I cut my grass, second crop. * * *
- 9th. This day McAlhoo began to lay up his house. I am picking corn.
- 14 Nov'b'r, 1790. I stayed at Bakers' last night. the Indians I hear are arriving at the point to attend the treaty. I crossed the River. I find my hay is not taken care of. this is a wet Day.
15. I was at work taking care of potatoes, pulling turnips, &c. this night the Indians had a dance at the Council House at the point.
17. I was carting pumpkins, taking care of potatoes, pulling and cutting turnips. * * *
18. Sat off for Wyoming. Left Matthewson's in the afternoon in a canoe. Passengers, Mrs. Yarrington, Mrs. Kinney, and Messrs. Brockway, Asa Stephens, and Wm. Bidlack. Made several stops. Reached Joseph Earl's about 3 in the morning.
- 19th Nov', 1790. I left Joseph Earl's about 7 in the morning. took breakfast at Mr. Bidlack's, stayed at Samuel Daily's. Sold the canoe at 3 Doll's to pay a debt for Isaac Moss. * * * Reached Wilkesbarre about 4 o'clock in the afternoon.
- 20th. Was about Wilkesbarre.
21. Went to Nanticoke. Stayed at Mrs. Hurlbut's.
22. Went to Major Alden's, returned to Wilkes Barre.
24. * * * Went to Capt. Bidlack's and to Mrs. Rogers. returned to Wilkesbarre.
- 25th. This day I was about the town of Wilkesbarre and at evening followed the example of good old Jacob. I took me a wife and may the Lord send Jacob's blessing.
- 26th. Went to Nanticoke in the afternoon and to Newport and stayed at Alden's.
- Nov'b'r 29, 1790. This morning * * * the snow about 4 inches deep * * * In the afternoon * * * went to Mr. Bidlack's, agreed with him for passage to Tioga in his boat. Returned to Wilkesbarre in the evening.
- 28th. * * * I went to Mr. Sam'l Allen's to see Daniel Ross and returned to Wilkesbarre. Major Jenkins comes this evening. I spent the evening at Yarrington's, with Col'o Spalding, Major Jenkins, Miller, Welles, Cobb, &c.

Many daily entries have been omitted, relating only to farm work; they show that Franklin was a very vigorous man, not in the least broken by his imprisonment, of which he always spoke lightly as "residing in Philadelphia," etc.

The middle of these diaries is missing. We wish Franklin had written an account of the treaty, but no doubt his wedding day was too near; nor was he desirous of meeting his old foe Pickering. How frankly simple the announcement of his marriage. Evidently he had a stag party on the 28th at Yarrington's, near where he was arrested. No doubt it was a jubilee. He mentions many names unknown as

among the pioneers. Poling up the river in late November must have been a rather chilly wedding journey. He gives no account of a home prepared for the new wife and their two families of children; it must have been the little log house built by Patterson, for his frame house was not erected until 1799.²⁴

Hollenback's store was the first, and for some time the only store on the Point. The settlers along the river were further furnished with goods by an enterprising youth, Jacob Lowman, who finally made a settlement near Wellsburg, still called Lowmansville. He might be called a river hawker and peddler. Of German parentage, and blessed with a spirit of enterprise worthy of his ancestors, Jacob, when only nineteen, in 1788, embarked in a trading enterprise, and invested his entire fortune in a stock of goods which he loaded into a Durham boat (capacity twenty tons), and with three comrades or helpers started from Middletown to Tioga Point, a two weeks' journey, as it proved. Arriving here, what a sensation it must have created! The vicinity of our present Museum-Library seems to have been for years the starting and stopping point of all boating parties. Therefore, in spite of its proximity to the only store in the settlement, it may be well imagined that it was there on the river bank that traffic was begun. Lowman's stock of provisions, tobacco, clothes, muskets, ammunition, chains, axes, hardware; and, in fact, every sort of supply of the times, was speedily exchanged for grain, flax, hemp and peltries at better rates than offered at the store. Little or no money was seen. After his stock was exhausted, the boat was reloaded with the exchanges; and, though on this return voyage it was capsized and the cargo lost, the young trader was undaunted. He soon had another supply of goods ready, and started again on the up voyage. This traffic he pursued for four years, and his gains were large, he going each year a little farther into the wilderness. In 1792 he settled permanently in the valley, although he still pursued the river trade, and invested his large profits in land.

David Alexander

It is impossible to decide when David Alexander²⁵ and Samuel

Hepburn, the next merchants, came to Tioga Point. Alexander is said to have come at an early day as clerk for Matthias Hollenback, but the

²⁴ The following record appears to have been copied from John Franklin's Bible, "John Franklin b Sept 26, 1749; married Feb 2 Wed. 1774 Lydia Doolittle b Aug 13 1751 and on Wednesday the 9th left Canaan and removed to Plymouth on Susq. River. Billa Franklin b. Nov 3, 1774; Amos Franklin b June 4 1776; Keziah Franklin b April 11 1778. Wyoming cut off by Savages and Tories July 3, 1778—Lydia the wife of John Franklin died of small pox at Windsor, Bucks county Nov 17, 1778 about sunset. Amos Franklin died at Cayuga Village 11 Oct. 1804. John Franklin (My father) died at Canaan Aug 20 1800, Aged 84." Col. Franklin's second wife had four children by her first husband, Capt. James Bidlack; to wit, Sally, Stephen, Hetty and James. All married, the daughters moving away, although Hetty is supposed to have been the mother of the first wife of Henry Welles. The sons married here, and there are numerous descendants in the valley. Mrs. Franklin, 2nd, was Abigail Fuller, daughter of Stephen Fuller, who lived and died at Sheshequin. The only descendants of Col. Franklin now in this vicinity are the children of the late Mrs. Z. F. Walker.

²⁵ David Alexander, son of Hugh, son of John, son of Thomas, was of Scotch ancestry, Thomas being a leading man in his Scotch home "from 1710 and upward." John, born near Glasgow, emigrated thence to Ireland about 1725, and emigrated to America with the multitude of Ulstermen in 1736, and eventually settled near Chambersburg, Pa. He was married in

examination of the Hollenback papers show that is untrue. *John Alexander* was clerk at a later period, 1797, but he undoubtedly was one of the Wilkes-Barré family. There are few records of *Samuel Hepburn*, except the transfers of land; and there is no mention of *David Alexander* in certified records until 1790, when *Hepburn* sold to him most of his property at the Point. *Hepburn* came from *Milton, Pa.*, and returned there eventually. It is a matter of family record, however, that *Alexander* found a wife at *Tioga Point*, and that the date of their marriage was 1788. Also that the oldest child, *Hugh Alexander*, was born at *Tioga Point* in 1789. But no record or hint is found of him before 1790. Nor was he the clerk of the *Athens Academical Association*, that was *Guy Maxwell*.

Unquestionably *David Alexander*, "Yeoman," as he is named in deeds, was one of the most enterprising and successful business men of "Old *Tioga Point*," as eventually he became the most extensive land owner, except *John Shepard*. We assume that he had some resources of his own, and that at first he was associated with *Hepburn*, as indicated in a quit claim deed given February 2, 1795, for a consideration of £50, by *Hepburn* to *Alexander*. This deed is very interesting because it enumerates, locates and describes the various properties:

"1 The Island opposite the present dwelling of *Hepburn*. 2 Ten acre lot near point of *Tioga* conveyed to *Hepburn* by *Mrs Platner*. 3 House lot in *Athens* where *Henry McKinney* lives. 4 Lot no 34 whereon my distillery stands with stills. 5 Lot 35 my store lot, 6 Lot 36 my homestead lot, 7 Lot no 37 with *Hepburn* residence, houses buildings and improvements—*Hepburn* agrees to obtain *Pennsylvania* title for Island or forfeit 100£."

There are two of these lists, which indicate that *Alexander* contracted for the property in 1790, and closed transaction 1795. *Hepburn* did not possess all the island, which was in five separate lots under *Connecticut* survey; and *Alexander* purchased them one by one. He also purchased all the land from lot No. 27, south, to the old *Ferry Road*, east of *Main Street*. The store he erected himself, and the horse grist mill. 4 to 7 extended from the old *G. A. Perkins'* property to the *E. H. Perkins'* property. No earlier *Pennsylvania* title to

Scotland to *Margaret Glosson*, and his son *Hugh* was born in *Glasgow* in 1724. About 1758 *Hugh*, who had become an extensive land owner, settled in *Sherman Valley, Pa.*, on a farm of 1100 acres, also owning land on the *North Branch* of the *Susquehanna*. He was chosen *Deputy* to the *Provincial Conference*, held in *Carpenter's Hall* in *June, 1776*; also a member of the *Constitutional Convention* and of the *Assembly* the same year, showing that he was a man of ability and prominence. He married *Martha*, daughter of *Dr. David Edmiston*, and *David*, their second son, was born in 1760. After his father's death he inherited evidently some of the *Susquehanna* lands, as he had 163 acres in *Cumberland County*, where he was made a *freeman* in 1785. About 1788 he married *Margaret*, daughter of *William Miller* of *Athens*. Ten children were born to them at *Tioga Point*: *Hugh*, *Edith*, *William*, *Margaret*, *Matthew*, *Samuel*, *John*, *David*, *Cyrus*, *Arospo*. About 1810 to '12, after a residence of at least twenty years at *Tioga Point*, the family removed to *Shiloh, Illinois*, forming what was long called "the *Alexander Settlement*." *Cyrus* emigrated to *California* in 1837, married a *Spanish lady*, obtained a large tract of land from the *Spanish government*, and lived the life of a *Mexican grandee* until the annexation of *California* made him once more an *American citizen*. *Hugh* returned to *Athens* for his bride in 1812, *Hannah*, daughter of *Julius Tozer*; and their long wedding journey was nearly all made by water; down the *Susquehanna* in a keel boat, across the mountains, then down the *Ohio* in a flat boat, and up the *Mississippi* to *Caholia Landing*, where *Hugh* had built a home on his "section" of land. *David Alexander* belonged to the *Frontier Rangers* during the last years of the *Revolutionary war*; quite possibly, therefore, he was in the *Hartley Expedition*. He was killed by lightning in 1822, leaving a numerous posterity, one of whom is the wife of the well known *Thomas Edison*. (For data for above we are indebted to *Hugh*, son of *Julius Tozer Alexander*, son of *Hugh*, son of *David*, of *Geneva, Ill.*) *Eliza*, *Mary Ann*, *Lydia*, *Caroline*, *Tenny* and *Jane T. Alexander*, children, possibly descendants of *David*, were baptized in the *Athens Presbyterian Church*, *January 25th, 1820*.

the island has ever been discovered. Between the lots Nos. 34 and 35 was the first street, already mentioned. Presumably this was opened by Samuel Hepburn, who is supposed to have built the grist mill and distillery afterwards owned by Alexander, the first of the *six distilleries on the Point*. The well, of which Mrs. Perkins speaks, is still in use; the mill was on the river bank. Walker says Hepburn built a house and store on the lot now known as bridge lot, *on the Chemung*. This may have been after he sold to Alexander, but Alexander locates the Hepburn homestead lot where the Maurice residence now stands. Hepburn had a tavern license here in 1790, and in 1792 he and Guy Maxwell had one together; possibly the tavern was Hollenback's store, which was now rented to Maxwell. In 1796 Hepburn removed to Elmira, he and Maxwell having two years earlier purchased and laid out a tract of land on the site of present Elmira, then called Dewittsburgh. It should have been noted that in 1791 William Harris of Herkimer County (evidently of the early Harris family), sold to Hepburn for £80 a certain lot "*whereon Samuel Harris now lives with buildings and improvements, also his right and title in the Island.*"

This deed is unusual because no other has been found thus worded, mentioning both Connecticut and Pennsylvania claims, viz.:

"I engage to warrant and defend the house and lot on the point unto Hepburn forever under the Connecticut Title, likewise engage to give him peaceable possession. Likewise engage as soon as can to obtain a deed or title from Josiah Lockard a Claimant under The Pennsylvania Title," etc.

This is the only recorded notice of Lockhart's claim between 1785 and 1798.

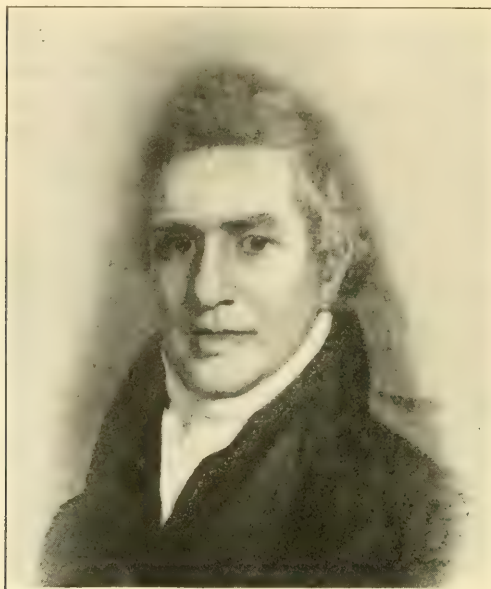
This house and lot was evidently the present Maurice property. Little is known of Samuel Harris or his residence here, though said to be a brother of Alpheus.

Later Hepburn returned to Milton, where he died. His widow married again, Samuel Erwin, a son of Col. Arthur Erwin, already mentioned.

While it has often been carelessly said that the first settlers were obliged to go to Wilkes-Barré to have their grain ground, it is a certified fact that Prince Bryant had a grist mill on Cayuta Creek (near present stone mill) as early as 1787. John Shepard became the owner in 1788, and soon after, as attested by Indian treaty accounts, Baldwin's mill was in operation, in the vicinity of Newtown.

Every year, if not month, now saw accessions to the population of Tioga Point, and yet it must be remembered the little village for long years nearly all lay below the Academy Green. In 1792 there were helpful accessions to the settlement. It seems certain that David Paine²⁶

²⁶ The Paine brothers were so essentially makers of Athens, that it is difficult to decide what *not* to say of them. Residents of the town for about sixty years, their lives were an integral part of the history. And research fails to reveal any men who did more for the progress and improvement of the settlement than David and Clement Paine. They were sons of Thomas Paine and Phebe Freeman of Eastham, Cape Cod; where the Paine family was among the earliest settlers, and always active in the history. The family was the same as that of John Howard Payne, author of "Home, Sweet Home." David, born 19th March, 1768, married twice but had no children, although he so loved them that he was "Uncle David" to many besides his own nephews. His first wife, Phebe Lindley, was a remarkably lovely woman, as revealed in letters of the period. His second was Anne W. Harding of Portland, Me., a most accomplished woman, well remembered by the older inhabitants as Mrs. Edward Averill, having remarried after Mr. Paine's death. David Paine's home was the center of culture and charming social life; he founded the first village library; his wife instructed young women in



David Paine.

came that year, though his family have always said it was in 1794. How then do they account for a paper in their own possession labelled "Blotter No. 1. Commenced at Athens, in the county of Luzerne and State of Pennsylvania, on *Saturday, May 2 1792*—This day Clement Paine loaned to David Paine twenty dollars."—

Among several other entries also, "Clement Paine paid 2/ for paper of which this book is made." This date is plain and unmistakable.

Clement Paine

Clement Paine and his brother were remarkable men, who left their impress in many ways on Tioga Point—Makers of Athens,

indeed! Self-educated to a great extent, yet they had unusual talents in letter writing. And best of all these letters have all been

music and English, and "Mrs. Paine's schoolroom" was a resort for many literary and religious people. David Paine was the first Burgess of Athens, and one of the earliest Postmasters. He left Athens for a short time and resided in Portland, Maine, but soon the charm of "the Valley" drew him again to its bosom, where he lived among his books and flowers until his death. His obituary portrays his character truthfully, as we have gleaned it from his letters, therefore it is here reprinted: "Died 7 Sept., 1851, at Athens, David Paine, aged eighty-three. Few of his old associates in the settlement of the country now remain, yet in the annals of the beautiful valley, for more than half a century his home, his name will be remembered as one of those identified with its history and improvement. His warm heart and social disposition won the esteem of those who knew him, and although traits like these naturally strengthen man's attachment to life, yet as the infirmities of age warned him of approaching dissolution, he looked forward to it as a happy release, in a spirit of meek resignation." Even in the later years, when overtaken by infirmities, his pleasant face was seen on the streets, as he rode about in his wheeled chair. He became possessed of much real estate, and there are many interesting colored drawings and surveys made by his own hand. While the Paines were

preserved. Every characteristic is plainly shown, and the amount of history to be gleaned from them is overwhelming. When the brothers came to Athens they were young men, twenty-four and twenty-five years old. It is greatly to be regretted that there are no portraits of them at that period. There were also five other brothers, and while their experiences were varied, they always had it in mind to embark in some business together, especially David, Clement, Seth and Enoch. David, when only eighteen, was engaged as clerk in a land office, and doubtless there learned the value of real estate investments. They had little or no capital, but one of the first entries in said Blotter was "*David Paine contracted for two rights in the Susquehanna Purchase: to pay 130 dollars in December next.*" Both espoused the Connecticut cause, as is plainly shown in their correspondence. While David was soon made clerk of the Susquehanna Company, this Blotter seems to be the record of a *private* land office, doubtless the first opened on Tioga Point. Receipts of many sums of money are soon recorded. Unfortunately, but a single leaf has been discovered, but the names entered are all familiar. While David was the older, and seemed to take the initiative, Clement was a thoughtful, judicious character; he advised settling near a navigable river, and where they could engage in manufacture of potash and pearlash, a profitable occupation in those early days. Evidently Clement was here for a short time on a visit of investigation, and then went to Rensselaerville to close up their business, suddenly abandoned by David. David is at least permanently settled in August, 1794, associated *not with William Bingham*, but with Chester Bingham, one of the early proprietors of Ulster. Having taken up half a township, he urges Clement to encourage people to come on, promising good terms and good land. His next letter reports most encouraging sales, and he adds:

"There is no doubt, but I shall by and by through the assistance of my friend B—, be able to do something clever,—every \$100, will at least make \$300 in the course of a year,—I have never been acquainted with a better country for a young man of an enterprising turn to obtain property."

He suggests that it may be profitable for Clement to obtain a quantity of dry goods, even to be exchanged for land. Mr. Bingham was

all talented as letter writers, David's sprightly pen surely excelled in the art, and seemed most inspired when addressing Henry Welles, who seems to have been a congenial spirit. Clement Paine, born 11th August, 1769, learned the printer's trade when a lad, and pursued that vocation until he settled at Tioga Point, and at intervals afterward. The time spent in Philadelphia, in Claypool's office, made him familiar with Washington, of whom he became a great admirer. In 1806 he married Anne Woodbridge, a native of Glastonbury, daughter of Theodore Woodbridge, an officer in the Revolution. Mrs. Paine was a remarkable woman, and a most fluent writer, whose character is well portrayed in her journal printed in "Early Times." They had five sons who grew to manhood; Seth and Charles C. spent most of their lives in Troy; and there Clement spent his last years, and died in 1849. Clement Paine was as eccentric as David was charming; one might give a volume of anecdotes. He is best remembered wrapped in his great blue cloak, riding his favorite horse Dick, with his head dropped in meditation, designedly oblivious of his surroundings; or as pictured by the early pastor, Dr. Corss, of a rainy Sunday morning, going from door to door, giving loud raps with his cane and calling out: "Rainy day, all hands wanted on deck!" and having summoned the villagers, leading the procession to church, which he never frequented in pleasant weather. While principally engaged in mercantile pursuits, agriculture was his delight. Plain in speech and manners, he despised conventionalism, and never sacrificed his opinions for those of others, although he enjoyed asking advice and then flouting it. The Paines have been portrayed in the various local histories to some extent, but especially well in a small pamphlet called "The Paines of Athens," written for the Tioga Point Historical Society by Paul M. Paine, son of Charles C. of Troy. Clement Paine was ever a devoted patriot, his last interest being in obtaining pensions for all the Revolutionary soldiers of the locality.

evidently a shrewd business man and kind partner, doubtless appreciating David's enterprise. His character is well portrayed in David's letters. David had several prospects in view, "always with a thought of Clement as well as self." When Clement finally arranged in November, 1794, to make a permanent move, he was enjoined to bring his singing book, and music for flute. Clement made a visit en route to Charleston, and was well impressed, as is shown in a letter written to David in January, 1795, proposing that David should thoroughly acquaint himself with the business of the Susquehanna Company; also that it will probably be wise to open a general land office at Tioga Point, with maps of *all* the new lands in America.

Just here it must be recorded that, by some process now unknown, the Susquehanna Company was stirred to new life and activity. Unquestionably the intrusion law was in the air, when this notice was issued December, 1794:

"The proprietors of the Susquehanna Company are notified that a meeting of said proprietors will be held at the dwelling house of James Irwin in *Athens* on Tioga Point the 18 day of February next, on business of importance to the Company.

"The printers in the States of Massachusetts, Rhode Island, Connecticut and New York are requested to publish the above as a matter of public Concern for the benefit of their customers.

"John Franklin
"Peter Loop

"Simon Spalding
"John Jenkins, Commissioners."

The bold spirit of John Franklin is here evinced in a remarkable degree. It has not been noted that in 1792 Col. Franklin was commissioned high sheriff of Luzerne County. Governor Mifflin not only said in the commission, "*reposing special trust and confidence in your patriotism, integrity and ability,*" but it was at this time he granted the pardon, called by him "absolution." In 1793 Mifflin further commissioned him Lieut. Colonel of Militia. And yet, still in the spirit of his old oath, here he is, once more making prodigious efforts to confirm the Connecticut claim. We have no record of a meeting for eight years, though there may be some in the books at Hartford. But, apparently, the spirit was not dead. It was doubtless rumored that a law was about to be passed by which all future Connecticut settlers should be treated and known as *intruders*. And there were still many thoroughly imbued with the absolute rights of their case. Agreeably to the notification the members of the Susquehanna Company assembled February 18, 1795, "*1200 * * being a large majority.*" As this was the same year that Rochefoucauld, the French traveler, reported Tioga Point as "an inconsiderable village of eight or ten houses," this great gathering must have been quite as remarkable as the Indian treaty at Newtown. There is no record, however, of provisions brought to town for the benefit of the multitude, many of whom were from a great distance. They staid several days, as there was an adjourned meeting, in fact *the real meeting*, two days later. This was held at the house of James Irwin, "Inn Keeper." Here is a new character upon the scene, oftentimes confounded with the family of Col. Erwin, but not related.

It is not known whence or why Irwin came, but it is recorded that he built a store on the lot now owned by Walter Page, and a public house about 1792. This stood until 1875, known in its latter days as Pike's Hotel, on the front of the lot now occupied (1907) by Charles Kellogg, Sr. In the picture of the village street, 1855, it is No. 4. It is difficult to imagine this old tavern swarming with 1200 men. "It was indeed a lively meeting" (see Archives, Third Series, Vol. XVIII). The charter of Connecticut was read, also sundry statutes, acts, deeds and documents, resolutions, proceedings, etc., of previous meetings. No doubt Franklin had all the books at hand. The two intervening days were doubtless full of committee meetings, and at nine o'clock in the morning of the 20th, all were ready for action. It may be said that an intrusion law was passed right here, *against the Pennsylvania claimants*; new commissioners were appointed, *any three of whom* were empowered to grant a township on application of *eight* proprietors; new lists of proprietors were to be prepared, sufferers appeased, all rights adjusted; Franklin to be chief clerk and treasurer, and Col. Jenkins agent. David Paine was made assistant clerk.

In the library of the Historical Society of Pennsylvania are two volumes (largely Mss.) labelled "Connecticut Claims in Pennsylvania." Here can be found enlightening information as to the meeting above noted, *not* found in Archives. A printed sheet with no title contains copies of various letters, the first of which is addressed to G. Eddy by Jesse Fell, Brigade Inspector of Luzerne County, date February 26, 1795. While written with many charges of secrecy, it was at once communicated to the Governor. Here are new schemes to render Athens important, and proving that Franklin was the instigator:

"The meeting of the Franklinites (for so I think we ought to call them) is now over, and their resolutions are here * * * they have added 1400 acres to each right which will make them 2000. The object *I have not the least doubt*, is a new state, whatever are the pretences held out—the same old company that were lessees in New York state a few years ago—the same that were engaged with Franklin in this state about eight years ago."

At which time it was said, "Is it not well known that the Susqua. Co. consists of two sorts of men; the first of large fortunes; the others bankrupts and men of desperate fortunes, who have nothing to lose if the Company fails."

March 3, 1795, at Philadelphia, the deposition was taken of James Duncan, as follows:

"Jas. Duncan being duly sworn, declares that he was present in twp. of Athens, Tioga Point on 20 Feb. last when proceedings & resolutions in document A following were passed, (Document A contained proceedings of meeting, as found in Archives) that he knows Simon Spalding, who took an active part, also John Franklin (now Sheriff of Luzerne) Elisha Satterly, John Jenkins and Peter Loop, who were present encouraging, assisting &c. That it was generally said at Tioga that it was in contemplation to erect an independent state within the limits of the Commonwealth, upon lands claimed by the Susquehanna Company."

In the course of the deposition Duncan avers that "it is said that it would be unsafe for any person to oppose or disapprove sd. proceedings at Tioga." Of course, this was the "Second New State Scheme."

And now great activity again prevailed in granting townships to Noah Murray, Elisha Satterlee, Chester Bingham, and others.

The books of the Company (from notes made by Rev. David Craft) show at this time many residents at Tioga Point, now utterly unknown, and innumerable transfers indicating lively times in the land office of the Company, manipulated by Assistant Clerk David Paine. The Hudson men were again very active. Many new settlers were encouraged to come on by the "Yankys," as the Connecticut people were reported to call themselves.

April 11, 1795, relentless Pennsylvania passed the so-called Intrusion Law by which henceforth all new settlers, or those unconfirmed by Pennsylvania, were to be known and treated as *Connecticut Intruders*. Or, to be more exact, all who had become settlers *after the decree* of Trenton. This, of course, barred out New Ulster and Athens, and great was the excitement. The Connecticut people had supposed themselves secure in their new possessions, but here was the battle to be fought all over again. We can only imagine the fierce invective of Franklin, Satterlee and Matthewson, for there are no positive records of the effect of this law on the minds of the Point settlers. The famous ejectment case of Van Horne vs. Dorrance was tried at once to test the new laws. The title of Connecticut was repudiated. The State of New York also passed an Intrusion Law, 11th March, 1796, with special reference to settlements within the Connecticut Gore, or as mentioned in the counties of Otsego, Tioga and Ontario.

Meanwhile, previous to this new source of apprehension, improvements had been going on apace in the village. Satterlee, having completed his home, had long since opened a ferry from his farm to the end of present Ferry Street. This year (1796) Matthewson built the Red Tavern and was licensed a taverner. This lot, originally Franklin's, was sold by him to Andreas Budd in 1793 for "*Three pounds lawful money of Pennsylvania*;" a transaction not easy to understand, as, according to all records, it was occupied continuously by Matthewson. On the back of this deed is an assignment by Budd to Matthewson, undated. Previous to this date Elisha Matthewson had not intended to locate permanently at the Point. A sworn deposition relates that he told Col. Franklin it had been his intention to go and settle on his Palmyra property, but that his wife objected, therefore he should buy all the land on the Point that he could, and make a stand there. And from that time, whenever possible, he purchased or exchanged for the detached lots on the Point farm, which later caused so much controversy. These lots are all marked *M* on the map of 1826.

The Red Tavern was ever famous; in it was established at once the land office of the Susquehanna Company, and it may be observed all the Pennsylvania land agents established themselves in turn across the way in "Hollenback's Store."

In spite of considerable adverse sentiment, Col. Franklin was sent to the Assembly in 1795, also in 1796, as Representative from Luzerne, thus ever keeping his finger on the pulse of Pennsylvania. It may even be inferred, from complaints of irregularities at the election for rep-

representatives in 1796, given in Archives, that the "Wild Yankees" pursued modern political methods and "stuffed the ballot box" in favor of their old leader. It seems curious that, after awakening such activity as at the Susquehanna Company meeting of 1795, the next one should have been appointed for such a distant date, June, 1796. It was doubtless to await not only the enactment of the Intrusion Law, but to attempt certain concerted methods of resistance. A deposition found with Mss. in the Historical Society of Pennsylvania, may be an explanation of this delay.

The Connecticut settlers, we know, were not "banditti," as called, but they surely were a crafty lot, showing more than the typical Yankee shrewdness of to-day. John Adlum's deposition, made at Philadelphia, December 31, 1796, tells that the half-share men now take a new turn, unquestionably to evade the intrusion law. Making no mention of Connecticut or Susquehanna Company rights, they now only claimed settlement and right of possession. However, he reported:

"The Susquehanna Commissioners appointed in the previous year have a land office at Tioga Point; their secretary being a man by name of Pain or Pane, and Samuel Hepburn (a resident of Northumberland County) reports office as kept with system & regularity. The settlers are advised by Connecticut (or Commissioners?) to submit quietly to laws; indeed Pane the secretary and Captain West advise all to demean themselves so that the law can not touch them, and shortly they will be strong enough to act for themselves."

This seems to indicate that outwardly the Company was to have no appearance of activity. Undoubtedly the grants made in March, just previous to the passing of Intrusion Law, were with the intention of claiming only "*possessio pedis*." Clever "Yankys," again!

Many of these grants were near Tioga Point, but they were extended toward the west into Tioga County, and even farther, largely made to residents of Athens.

Here the letters of the Paine brothers again furnish considerable enlightening information, as to the town, as well as to their personal history.

Now Clement takes the lead; his letters are teeming with advice as to purchases, the necessity of having a good home, where they can board their own workmen, etc. He advises the purchase of Wynkoop's place (across Chemung) as a temporary residence; also mentions Swift's and Cole's as desirable; it seems evident he proposed commanding the situation. A letter from Seth a few months later shows that they had "*a prospect of doing something clever in the land way—certainly the most rapid mode of accumulating property*." Subsequent events prove that both the brothers were peculiarly alert to the advantages to be derived from the contested titles.

The superscriptions of this letter of Seth's shows that it came by sea from Charleston to Boston, and then by devious ways to Clement Paine:

"At Tioga Point—Luzerne County
Pennsylvania
(To be lodged at the postoffice Wilkesbarre)
(To the particular care of Guy Maxwell esq)
Wilkesbarre"

Clement took temporary charge of Seth's business at Charleston in the winter of 1795 and 1796, but both he and David wrote frequent letters. Much that was transpiring in legislative and congressional sessions is reported in these letters:

Feb. 1796. "Previous to the late choice of Presidential electors a hand-bill was circulated in this state reprobating Mr. Adams * * * They also lug in the land dispute thus 'The N. England States by wicked and unjust pretensions, are supporting insurrections and forcible intrusion upon the territory of Pennsylvania; would take away millions of acres, and reduce her to become a dependent province of New England. *And Mr. Adams is a New England Man!*' They also argue against too large a proportion of principal officers of the federal government from New England."

In this same letter, written by Clement to Major Pitkin of Boston, whom he calls "a true and zealous friend to the cause of the Company," extracts are made from a letter lately received from Col. Popoon of Philadelphia, as, for instance:

"It has always been a *general* idea that the decision at Trenton determined the right of soil, as well as jurisdiction,"

But that he was convinced the right of soil was not yet determined, and could not see but that it did of right, and in fact, belong to Connecticut claimants, adding:

"A gentleman who was one of the Council of Pennsylvania at time of the Trenton decision, says he then opposed doings of this state, told them they were wrong, was on the point of buying a large tract under Connecticut Company, and should have bo't *had it not been for the unconstitutional law*, making it *treason* to buy or claim under them; intimated he is now determined to buy and *hold on with us*. He is a magistrate, and a man of influence in this state, *His name must yet remain a secret*. * * * Thomas, the lawyer believes Pennsylvania would now be glad to compromise and that the only eligible way would be to refund purchase money to purchasers under them, or recompense them, or present holders in some way; and for the Connecticut claimants to refund to the state, such sums as they should give to Penn claimants. Sedgwick a lawyer at Newtown therefore told Thomas that 'by ——— they would never get the Yankees possession. Morris, Nicholson, Wilson &c. (Penna. landjobbers) are in trouble *profound*, their influence lost or declining. We have only to stick to it like determined men, and hold on and hold out, and the day is our own. The Committee of Penna. legislature are for submitting to Congress the whole controversy to be by them determined. If this should be the case every member of Congress, should be furnished with statement of the title, and indeed all the well informed Citizens of the United States. There is now in my *religious* opinion the best prospect there ever has been, and it wants nothing but firmness and resolution to win the day.' (Thus far Popoon; Clement continues) "However the Pennsylvanians may continue to hold up scarecrows, it is apparent they wish sincerely amicable compromise, on best terms obtainable. It hath been their policy to keep back public investigation, and to support their cause by fraudulent and clandestine means, which things will eventually operate against them. * * * The Connecticut settlers are warm friends to good and constitutional government, but the Penna landjobbers have represented them contrary. This is the only state in which there has been an insurrection against the government of the United States and the people of this county took an active part in quelling that insurrection, while people of other counties were aiding it."²⁷

²⁷ This alludes to the well known Whiskey Insurrection in 1794, a full account of which may be found in Archives, Second Series, Vol. IV, in connection with which a meeting was held at Tioga Point, October 3, 1794, with Simon Spalding and Obadiah Gore in charge. At this meeting resolutions were passed, upholding the Government, and offering to "turn out to support that free government under which we live."—See page 393, above Archives.

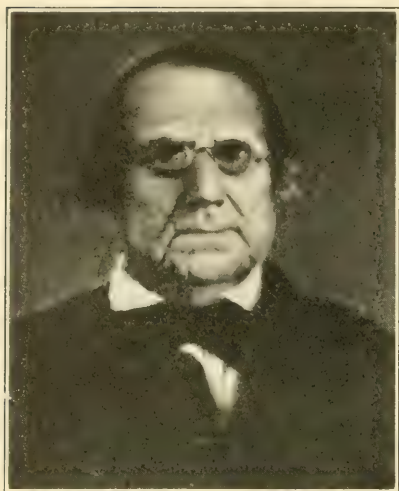
"I esteem it a favorable circumstance to our claim that the purchase is so generally located into townships, whereas the claims of Penna. are exceedingly vague, and almost entirely unlocated, which has already occasioned great contention among themselves. It is a well known fact that recently there were upwards of 70 suits commenced at one time before the Board of property by one *individual against another* under Penna. claim. The Connecticut claimants generally have their claims properly located, and almost every individual can point out his location with certainty, and say with confidence '*that is mine.*' I believe it to be the general wish that a meeting of Susqua. Co. be called prior to next meeting of legislature of Connecticut,—arrangements should be made soon. It is wished that you or some other of the committee communicate the sentiments of proprietors in your quarter on this subject. Some good friends, convinced of the equity of our cause stile the Cont. claimants the *children of God*. And why may not frequent epistolary correspondence *like that of primitive Christians*, with our friends and *brethren in the faith* have a tendency mutually to make us *stand fast* and persevere in the good work of truth and justice? Perhaps publishing frequently extracts of letters might have considerable effect on the public mind. It would promote inquiry—excite curiosity &c. If you think fit, publish any part of this letter as the opinions of a person residing at Athens, on the Susqua. purchase, and I will send you any new ideas that may arise or be suggested." He also proposes the publication of "a copyrighted pamphlet, with prefatory dedication to President or some illustrious civilian and statesman, to inform the public on the subject of our claim." (Major Elisha Pitkin had been present as a proprietor at the meeting of Susqua. Co. in 1795.)

Clement reports the arrival of several families for settlement; mentions that one is about to establish a manufactory of earthenware on this point, a useful and lucrative prospect; and suggests that persons eastward encourage the coming of useful mechanics, as they are wanted exceedingly, and may avail themselves of peculiar advantages. Doubtless the families of whom he spoke were the Conklings and Tozers, who came about that time. Ananias Conkling²⁸ settled on a farm east of Athens at the mouth of Satterlee's Creek, now known as the Tozer or Corbin farm. He purchased the

Ananias Conkling

Connecticut title of No. 41, third division, of John Livingstone of Livingstone Manor, New York, "with the liberty of erecting a grist mill and distillery on the creek which runs through the lot; of repairing and rebuilding the same, erecting dam," etc., recorded in Liber E, page 522, of Susquehanna Company, December 24, 1796. This land he sold to his son Jonathan.

²⁸ Ananias Conkling was the son of Joseph of Sag Harbor, L. I.; son of Ananias of East Hampton, L. I.; son of Jeremiah, son of Ananias, the emigrant ancestor, who came from Nottingham, England, to Salem, Mass., and established with his brother John, in 1637, the first glass works in New England. Later he moved to Long Island, where the family lived until 1776. Ananias Conkling, 3rd, married Alice Leck, a descendant of Philip Leck, one of the first settlers in New Haven. At the outbreak of the Revolution he fled with his family to Connecticut, and there his daughter Hannah was married to Julius Tozer about 1786. The Conklings preceded the Tozers to Athens, where the wife died in 1798, and Ananias in 1811. They had a son Jonathan, who was also at Athens. The Conkling and Leck genealogies have been fully traced by H. B. Alexander of Geneva, Ill. Hon. Roscoe Conkling was of the same family.



Julius Tozer

Julius Tozer,²⁹ who came a little later, first settled on the outlet of the Susquehanna, now known as Tozer's Cove. Here he built a log cabin and occupied it a few years. He then purchased the Conkling lot and, possibly, resided on it; later sold part and gave the rest to his son, Julius, Jr., whose daughter holds it to-day. Julius, Sr., now moved to the west side of the Tioga River and located near present Tozer's bridge. He was an active and useful citizen, and he and his descendants have filled many positions of trust in the township.

This same month, February, 1796, David Paine says in a letter:

"Col. Franklin received a letter from William Judd of Farmington (a Susqua. proprietor) saying that the State of Connecticut was disposed to favour

our cause—that if it could be proved that some of our most important papers could not be obtained at the Trenton trial, *but can now be had*, he opined the State would take up the matter and petition Congress for a rehearing &c.—I expect Col. Franklin will attend the assembly of Connecticut in May next, respecting the business—he can not only prove that papers of importance could not be obtained, but that these very papers were in the hands of our opponents, and can now be obtained. I (as clerk) have set about arranging business, and mean to be prepared." In this letter a little village news and some pleasantries are intermingled after David's usual happy fashion. "Friend Maxwell (Guy) has settled with Mr. Hollenback, and removed to the Land of *Shemmua*.³⁰ I saw Cloe, Anna, Sally, &c., &c., yesterday, we spent the evening dancing and were merry."

Perhaps in these gay girls, some reader will recognize his or her great grandmother! A month later he writes as to Susquehanna Company:

²⁹ Julius Tozer was born at Montville, Connecticut, 16th June, 1764. He was the son of Samuel Tozer, a resident of Wyoming in January, 1778, according to the Westmoreland records, page 879, at which time, according to the statute law of Connecticut, he "entered his ear mark," all owners of live stock being required to ear-mark or brand the same, and register in town book or be fined. It is said the family returned to Connecticut after the Wyoming massacre, it seems it may have been before. It is said they came to Wyoming from Belmont, Connecticut, in 1764, the year of Julius' birth. Samuel was the son of Richard Tozer, one of the first settlers of Colchester, supposed to be the son of Thomas, son of Richard of Boston. The Tozers were originally from Devonshire, England, and many of that name still reside there. They were a family of high repute, whose history is easily traced. Samuel had also Richard and James, one or both of whom were taken prisoners by the British and died on a prison ship; Lodemia, who married Jonathan Harris, the Athens pioneer; Mary, who married Nathaniel Harris of Connecticut; and Susan, who married Joel Murray, a brother of Noah Murray, Sr., residents at Athens for a short time (known only from Welles' store books). Julius Tozer enlisted in the patriot army when only sixteen, served through the war; was at Yorktown when Cornwallis surrendered, and received an honorable discharge *signed by Washington*. In 1786 he married Hannah Conkling. In 1791 they returned to Wyoming Valley and settled at Exeter, and later at Athens. They had thirteen children; the sons, Samuel, Julius, Guy, Albert and Joel M., lived in the valley all their lives, and their descendants are here to-day, all have been worthy and respected citizens. As Julius was blind, his portrait is not very good.

³⁰ "Shemmua" must be the name Mrs. Whittaker mentioned as derived from name of Queen Esther's sister. Maxwell was said to have moved to Newtown, but he may have first moved to Chemung.

"I have been busy regulating and preparing for the first of June. I find I shall have enough to do, for many days we have been thronged with business receiving in claims &c. The business grows in repute very fast. Col Jenkins arrived here a few days since * * * he brings no good report from Hyde, * * * vexations vexations * * * they act more like Devils than men, * * * have given Ezekiel (Hyde) liberty to sell some of *my* surveys I left at Norwich. * * * Ezekiel is a tool in the hands of the dishonored alderman. * * * * *"

"I feel determined to pursue business here. I am determined on opening a *general Land office*, therefore every the least information may prove very serviceable, do form acquaintance with people of business, obtain latest maps of the Southern world, make inquiry of land ceded to us from Indians in late treaty—perhaps you can make a purchase on long credit—some lands sell in the East from 2 to 20 cents an acre. Titles of those southern lands are very vague * * * 'best way watch em.'"

Again come in the town incidents:

"Gordon (surveyor for Penna claimants) hath removed bag and baggage—I did not shed a tear at *his* departure. Maxwell is about to return on the morrow and take up his abode with us."



DAVID AND CLEMENT PAINE IN LATER YEARS

A bit of delicious gossip here slips in. As David used no names, it is given as a conundrum:

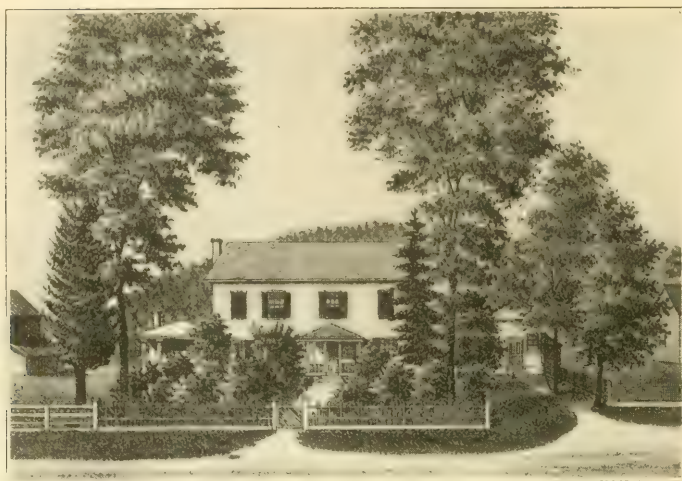
"The Doctr. and his Spouse now live together in harmony, peace and Love—in the judge's house—would you believe it I have been an instrument in the hand of providence in bringing about this remarkable reconciliation and happy meeting."

Unquestionably this quarrel was amusing in its character, for it is related by our oldest inhabitants that a song was written about it and set to the old tune of Tyrone, and was still sung twenty-five years after. David continues:

"I have concluded to erect a house after the following form and fashion—main body 40 ft. by 18—2 wings 15 ft. by 20, one to extend from the South West the other from the northwest." (Here a plan is drawn.) "See, here it is—a rough sketch—how do you like it. I think it convenient for business &c."

This house was built somewhat back from the west side of Main Street, where the present house of E. B. Carner stands (1907). It was burned in 1870. The north wing was used as a store and office. The chief builder was Dan Elwell, who came to this locality for that purpose, and was a well known resident later at Milltown.

Spring opening early, David reports having sent out surveyors to run out new towns which he thinks will fetch money at the June



PAINE HOMESTEAD, ERECTED 1797

meeting; mentions owning half a township at Standing Stone, which he anticipates selling for a good price very shortly. Also that a motion was made in Assembly to divide the county (which was not effected until 1804), expecting Col. Franklin home, when he will be able to form a judgment on land speculation.

"Agreeable and neighborly meetings have been held, and dances both at the Point and Sheshequin which scene was closed by drinking one and a half Bushels of Egg Nogg."

Clement now being expected home, letters ceased.

The first Monday in June the meeting of the Susquehanna Company was held again at the house of James Irwin. Maj. Elisha Pitkin was made moderator; after hearing proceedings and resolutions, the meeting was adjourned until Thursday, to meet at Elisha Matthewson's Red Tavern at nine o'clock A. M. At which time it opened as proposed, and passed a few resolutions. The minutes are very brief. Chester Bingham of Ulster was made Commissioner in room of Zebulon Butler, late deceased. The resolution of a former meeting to fill up townships with twenty-five proprietors was suspended. Powers of Commissioners extended until next adjourned meeting, to be held in September. There is no record of the events of that summer, which must have been a very lively one in the settlement; except a letter of Clement Paine to his father, as follows:

"Our present residence is at Athens on Tioga Point, County of Luzerne; as a beautiful healthy situation, it is superior to any I have ever seen, and as a place of business it will doubtless be great, being at the head of navigation on the Susquehanna and a place of great resort for gentlemen concerned in new lands. * * * The title of our land is growing in repute; many persons of respectability and influence have purchased and interested themselves in this business."

September 13th, as agreed, the Susquehanna Company met at the Red Tavern. Simon Spalding was elected moderator (take note, for

it has been claimed that Spalding did not continue in sympathy with Franklin).

It was voted that Col. John Franklin, Col. Matthew Scott (a new name), Col. John Jenkins, Gen. Simon Spalding and Isaac Tripp be a Committee to prepare and report necessary business, adjourned to next day, at which time various resolutions were passed. The first and most important was "*this Compy. will in every legal and Constitutional way, support their claim and title to the land included in their purchase made of the Natives July 1754.*" The Treasurer was authorized to collect all moneys and dispose of the residue of 600 rights vested in Commissioners at Hartford in 1785. The resolution of preceding year, requiring claims of proprietors to be exhibited by March 1, 1796, was extended to October 1, 1797. Adjourned with day. The minutes of this meeting are neither signed nor attested. It is a great pity that they are not more particular, especially as it was *five* years before the Company met again.

The following report is self-explanatory :

"In the House of Representatives, Monday, January 16, 1797.

"The Committee appointed on the part of the Governor's address, respecting the territorial controversy at Wyoming, report :

"That they find the principles of the present were organized into system by a meeting said to consist of twelve hundred proprietors of the Connecticut Susquehanna Company convened at Tioga Point on the 18th day of February, 1795, and continued by adjournment to the 20th of the same Month; that Elisha Hyde was chosen Moderator and David Paine Clerk of said Meeting; That a charter of Charles the Second, extending to the South Sea, was read, and sundry other acts and deeds by which the company claimed the whole forty-second degree of north latitude for two degrees in longitude, beginning ten miles east of the Susquehanna. The meeting engaged to protect the Lands aforesaid for the real owners, and to recover possession of what may be held in opposition to them. A resolution was passed appointing Commissioners to whom the Claims of the Company were to be exhibited on or before the first of March 1796 among whom are Zebulon Butler, John Franklin, Simon Spalding, John Jenkins and Elisha Satterly of the County of Luzerne. The powers of the said Commissioners were fully detailed, as to granting Lands, fixing the pay of Surveyors and other officers, indemnifying persons who may sustain loss etc., in the service of the company. A Common Seal was to be procured, under which all grants of Land were to be made. John Franklin was appointed Clerk, and David Paine Assistant Clerk, John Franklin was appointed Treasurer, and John Franklin and John Jenkins were appointed Agents, to support persons in possession of lands where the Interest of the Company were concerned. John Jenkins was appointed Surveyor for the Company, with power to appoint as many deputies as he should deem necessary. Taxes were directed to be collected and proceedings had, as in an independent government, and the design of erecting one openly avowed.

"Your Committee do not know what passed on the first Monday in June last, the time to which the meeting was adjourned; but they find the country west of the Susquehanna, nearly to the Allegheny river, along the Northern boundary, has been generally surveyed by them. Fifteen surveying parties are represented to have been out at one time. They have appeared in such force as to intimidate every person disposed to support the Laws of Pennsylvania. The act against Connecticut Intruders has not been put in force, although the violation appears to have been general. Commissions from the State have been rejected and persons holding appointments under the same appear to have acted equivocally. In short the civil authority of the State is laid prostrate, and in every statement which has been laid before your Committee, the names of John

Franklin, John Jenkins and Simon Spalding stand conspicuous as the principal promoters of these enormities.

"Your Committee are decidedly of opinion, that nothing short of military force can introduce order, support justice, or afford any protection to the grantees under Pennsylvania, along the Northern border of the State.

"They therefore offer the following resolution:

"That a Committee be appointed to bring in a bill, authorizing and requiring the Governor of the Commonwealth to order the Militia of the State from the Counties of Northampton, Northumberland and Lycoming to be posted at the South branch & point of Tioga, & such other places as he shall judge expedient; and that he shall commission two or more respectable Majistrates to accompany the Militia aforesaid, whose duty it shall be to see the laws of the State duly executed and observed, and who shall upon the application of any Pennsylvania Land Holder, or their agent, view any force or intrusion of which complaint is made; and if any settlement appears to be made or possession taken without the authority of the Pennsylvania holder or grantee, they shall forthwith direct their Warrant to the officer commanding the whole, or any detachment of the Militia aforesaid, requiring him with the force under his Command, immediately to abate and destroy all such settlement, and remove all such intruders from the premises; and also directing the Supreme Court and the Courts of Quarter Sessions & Common Pleas of the counties of Northampton, Northumberland & Lycoming, upon the application of any person, being a party to any suit in Luzerne county & making oath or affirmation that he verily believes that justice will not be done to him in Luzerne county aforesaid, or that he apprehends himself in personal danger by attending in the said County, to direct a writ in the nature of a certiorari, to the Court of Luzerne County, after the issuing of which writ, the cause shall be proceeded upon in one of the counties of Northampton Northumberland or Lycoming, as the writ of removal may direct; and also for the altering of the boundaries of Luzerne and Lycoming counties by extending the North one Degree west line until it crosses the East branch of the Susquehanna near the mouth of Wyalloosing Creek, & from thence up the east side of the same to the Northern boundary of the State."—Report of Committee respecting the Connecticut intrusion.

Clement Paine again takes the pen:

"I arrived July 1. David has been absent most of the time, (unquestionably looking after townships) and I have been occupied building. We are erecting an elegant house and stable, which will make an uncommon appearance in this country. The titles of our lands are growing in repute. A great many persons of respectability, property and influence in Connecticut, Massachusetts, New York, Rhode Island and Vermont have purchased and made themselves interested in the business, *not through* inadvertence, but in a full knowledge of all the leading circumstances, and a firm persuasion that the title derived from the Susquehanna Company is equitable, just and genuine. Leffert Lefferts Esq. a capital merchant of New York was here a few days since, some time ago he purchased one township and a quarter of another adjoining our lands, and he has engaged us to allot it and promote the settlement, drawing on him for money for the purpose. * * * However flattering present prospects are here, it is not impossible they may suddenly be blasted, but that they are at present flattering is absolutely certain."

At this time David was in Connecticut on business of the Susquehanna Company. The Government of Connecticut were taking measures to obtain a rehearing on the Trenton decision, as it was discovered that important papers, favorable to Connecticut, were suppressed by the Pennsylvanians at Trenton. "Should Connecticut proceed with spirit in the business, as it is thot they will," writes Clement, "the price of our land will be much enhanced." He, therefore, urges his brother Seth, the Charleston printer, to advertise through pamphlets, giving complete history and investigation of the matter.

About this time, their house being completed, the Paine brothers became "entirely disconnected in business." The house was arranged for two families, Clement took a "small decent family" into his outer room, who cooked for him and his family; he says David boarded in the neighborhood. Clement writes:

"The Government of Pennsylvania continues to hold up terror to the people who hold lands in this country under the state of Connecticut. It is reported that a resolution has lately passed the house proposing to authorize the Governor to station a body of militia in this country, for the purpose of expelling all settlers (since the Trenton decree) under any title not derived from this state, and for supporting the Pennsylvania claimants and other purposes, subservient to those ends."

He states that the Intrusion Law passed two years before has never been put into execution. Speaking of the unreasonable and unconstitutional laws passed by Pennsylvania, he says:



ELIZABETH MURRAY
A belle of 1797

"At an early period of this settlement *a law was passed* that any person settling here under Connecticut title should on conviction suffer death; one individual only was prosecuted, and he was supposed to escape. Notwithstanding all these violent proceedings there are not less than 12 or 15000 Connecticut claimants now here. It seems to be the policy of Pennsylvania to pass violent laws and spread terrifying reports. Many people are of opinion violence will be made use of before the dispute is settled. But I can hardly persuade myself that this state will attempt a thing so perfectly and amazingly absurd, as to send on troops to dispossess 12 or 15000 people. God only knows what will be the result. * * * We at present live quite agreeably, soon after my return we rented, then purchased a convenient house in the compact part of town, and leased it to a very genteel family who removed here some time since from near Boston, with whom we have since boarded. * * * We have in the place several young ladies, and some young gentlemen of very decent polite accomplishments—enough to form a clever party for dancing or other social amusements. And it is remarked by strangers that we have the most genteel collection of young people that can be found for some hundred miles distance.³¹ We shall continue to prosecute our business notwithstanding the hostile intentions of our enemies. This is the general intention of the people."

Clement was now studying law and reports farming lands acquired and in process of cultivation. Also many new buildings proposed in town, especially a handsome edifice for accommodation of an Academy beneath, and an elegant arched ball room in the upper story.

So after all of Old Fogy's somewhat modern protests, the second story of the *first* Academy was planned for Terpsichore's shrine! It is a matter of admiration that this handful of people in an acknowledged precarious situation should have turned their attention so early to a superior form of education. A school, of course, had already been established (see later chapter).

³¹ Doubtless Noah Murray's four daughters were among these genteel young people, therefore the silhouette is here given of Elizabeth Murray. On Christmas Day of 1797, weddings were in order in the Murray family, and perhaps in some others. Abner, Elizabeth and Mary, with their chosen mates, repaired to 'Squire Buck's at Chemung, and all were married; Abner to Dorothea Harris of Athens, Elizabeth to John McConnell of Newtown, and Mary to Ambrose Collins, then a resident of Athens, later of St. Louis. Elizabeth became the mother of Murray McConnell, who achieved fame and distinction in later years as one of the founders of Illinois. It is a great pity that 'Squire Buck's records have been lost to sight.



SILK COAT OF FERDINAND MCDUFFEE
Beau Brummel of Tioga Point

How many families were there now, and where were their houses? As to the people the best way to decide about them is to read the Tioga assessment for 1796 (see Appendix). No doubt the young men and maidens were gathered from Sheshequin, Ulster, and the surrounding country; of course, Benedict and Elias Satterlee, the young McDuffees, Ferdinand, who was called the Beau Brummel of the settlement; the Spaldings, and perhaps the Backus and Lindley girls.

All through these first years there had been a steady stream of emigration passing through Tioga Point. Generally tarrying; for here were to be found not only plenty of accommodations, while looking around, but also agents interested in the sale of lands; usually men thoroughly acquainted with the prospective advantages of the Phelps and Gorham, and the Boston Purchase. Here, too, were found *"the men who by their resistance to Pennamite oppression, had given name and fame to the Susquehanna and Wyoming."*

The books of the Susquehanna Company and the Luzerne County records show the most amazing transfers of property, and indicate a shifting population quite beyond ordinary comprehension. There are some telling and puzzling descriptions, too. Patterson's location, as deeded to Robert McAlhoo, is described as "a lot of 400 acres, opposite Hollenback's and Harris' Store,"³² formerly occupied by John Miller,

³² Harris' store was evidently established on lot No. 13 probably after the death of John Miller, who had built a store there (now Crandall lot). John Harris' identity has not been proven, but there is documentary evidence that he was of the Harrisburg family, and was the one who had a corner lot assigned by Hollenback and Lockhart. He was a resident of "Tyoga Point" in 1789; there is no further record until 1796, when he purchased of Josiah Lockhart store supplies to the amount of £11. 17s. 9d. One year later, this bill being unpaid, Lockhart swore that this was a faithful account, on which he had received no satisfaction, which was attested by Col. Adam Hubley. The attested account was forwarded to Matthias Hollenback with the following characteristic letter: "My good Friend: I send you an account proven against John Harris, and I Expect you will Doe all you Can to recover the Same and for your trouble give me as Much After you being Satisfied if it were a Shute of Close or I will Give you one &c I keep in a pretty good State of health and Allwise Bussied and as prosperous as Ever I could Wish to see you Please to remember my Compliments to Mrs Hollenback and Ms. Hollinback; be sure you try to recover this Debt, if we shoud Drink it all in Madera Wines these with my Best wishes for your Prosperity & with respect yr Humble Servt Josiah Lockhart.—Lancaster Augst 13th 1797." It appears that Harris had expected this to be paid from an old account placed in Hollenback's hands for collection; we do not know if it was settled. Harris did not long continue the store at the Point, as in 1798 he was living on Cayuga Lake, whence he wrote: "I want you to inform me respecting the Agentcey for the Indians—as I conceite that by the Racamentation of you to Col. Pickren and him to put in a word for me to his Excellency will do the Business as I flater myself I can Soplie that Office as well as Som of the candidates that is pushing for it—you know ho I mean. I am your Humble Servt, John Harris."

a grant of Waterman Baldwin." Julius Tozer in 1795 owned the property now occupied by C. M. Myer and part of O. L. Haverly's. John Shepard in 1794 and '95 has become an extensive land owner in and near Athens. John Paul Schott relinquished his property to Job Heath in 1793.

Copies from both mentioned records were made by Edward Herrick, Jr., and Rev. David Craft, and can be found in Tioga Point Museum.

There is one noticeable record of "Suffering Rights," as follows:

"Betsy Matthewson in 1795 was granted 300 acres in Columbia twp. in consequence of her sufferings at Wyoming in the contest between Penna. and Connecticut claimants in 1783; this claim entered March 19, 1795."

In March, 1797, the settlers were greatly agitated hearing that a bill had passed the House of Representatives requiring the Governor to issue a proclamation commanding all persons who had settled after decree of Trenton to leave their possessions; and authorizing the Governor to raise 2,000 to 10,000 troops to be stationed where they could expel all those who did not peaceably withdraw. (See accompanying letter.)

"Athens March 20, 1797.

"Col Jenkins Respected Sir. From the best information I have obtained concerning Wyoming controversy, I have reason to believe the Assembly will authorize Gov. to send troops among us. The consequences must for the present operate against us, the final issue may be favorable. If the President of the U. S. can, as has been suggested, legally interfere, that would be a circumstance in our favor in the public mind. We have collected money for expenses of sending Mr Bingham & some others as messengers to the President. I do not feel as though troops would be stationed among us this season, therefore am proceeding with my buildings and improvements and shall pursue my lawful business until *obliged* to stop. It is not reasonable, very improbable, & hardly possible that the U. S. will allow ten or fifteen thousand staunch supporters of order and good government to be driven from their habitations by a few overbearing *land jobbers*. If they should, we may with propriety say the Fathers and guardians of the people have become their oppressors, have broken the social compact which holds society together, and are no longer to be considered as protectors, of our most sacred rights & privileges. I have faith that when the officers of Federal Government understand the proceedings of our enemies that they will interfere in our behalf. We are about building an Academy—have about \$1000. subscribed. I am for prosecuting the building immediately, some are discouraged by the aforementioned reports. The erection of such a building would certainly be much in our favor, and have a good effect on the public mind.

"Please give advice as to building and business in general concerning us as a company (Susquehanna). I have shut the office, and secured the books and papers which will be kept secret until further orders, Considering it would be good policy *in our enemies* to destroy the records of the company, I conceived they might plan a private expedition to save them, therefore thought prudent to secrete them. It is suggested that, should nothing now be done, some of the principals in company will be taken and put under bonds, among which are particularly mentioned, *Franklin, Spaulding, Jenkins, Satterlee and Paine*. I am willing to rise or fall with you. *As the Lord liveth & suffers me to live, I will hold on and hold out unto the end*, and persevere in just and legal methods to attain our just rights. I am ready and willing to perform any service in my power for the good of the public, and only wait to be taught my duty. With respect and esteem

"DAVID PAINE."

Other provisions were made to execute the Intrusion Law with extreme rigor. Great distress was anticipated, and Clement Paine wrote: "Our only consolation will be that we have many thousands of companions." The bill was rejected by the Senate, and the apprehensions for the time subsided, and it was thought Pennsylvania's unsuccessful struggle might be estimated as a favorable circumstance to the settlers. The boast was made that after the Intrusion Law was passed *more sales were made than at any previous time*; Paine again writes:

"If Connecticut as a state interferes in the matter as in duty bound to do; probably a great number of wealthy farmers in that state will become purchasers of these lands. Col Franklin has now gone to Connecticut to aid our cause in the legislature. David as clerk accompanied him."

Clement was busily occupied clearing and improving land, as doubtless were many other settlers, in most hopeful fashion. Franklin's visit to Connecticut was disappointing. David Paine thus reports:

"The people concerned in the Susquehanna business in this country depend on us who live on the ground. They make fair promises to induce Franklin and others to come and attend to the business—when they get here they are wholly neglected as respects the money part of the business—while we who live on the ground continue our exertions, the non-residents will not advance a farthing."

He advised Franklin and Jenkins to return home and report that they had neglected to bring forward the business for want of support; thinking such a report might incite the non-residents to advance some money. They found Col. Ezekiel Hyde, recently made Superintendent of Surveys, and others selling Connecticut rights to Pennsylvania claimants at four and six cents—"or what they can get." They made pompous promises to Col. Franklin, but performed nothing. "We that are on the ground must look out for ourselves," reports David. What disheartening news for the little settlement. Their representatives unable to collect a cent of money, business of every kind dead, and people dispirited and gloomy. A great stagnation of mercantile and speculative business was the universal complaint throughout the Northern States.

The Paines seem to have opened a store in a small way, probably in their own house, as was the fashion, previous to 1798. At this period Pennsylvania is compared to a farmer who exhibits scarecrows to terrify the birds feeding on his field, but does not succeed in driving them entirely away; a happy simile. However, for twelve years Tioga Point was occupied by the Connecticut people unmolested by more than rumors of various Pennsylvania claims. They built their little homes, cleared and cultivated the land, reared large families, and began to provide for their education. Their subsistence was by hunting and fishing and from their crops.

In 1797 the first ark was built far up the Conhocton and successfully ran the river. Not only this country, but that far below was greatly excited over the navigation of the Susquehanna River, and the great extent of country and trade thus to be opened up. It seems

more than probable, judging from knowledge of the people and from existing letters, that this possibility of navigation was one of the causes of the next epoch in the history of the Point, the coming of the *Pennsylvania Claimants*, although doubtless the Intrusion Law at once led Lockhart to see that he now had, as he thought, a chance to enforce his claim without resistance. Therefore he was on the lookout for a purchaser, and had applied to Matthias Hollenback for assistance, as per following letter:

My good Friend

I Rec^d your letter of 19th of 1797 by these Gentlemen Whome you Recommended. I took your Advice and Sold the Pointes and Accepted two lots for you town lots and some more to have on rent or Regulation one for you to be free they were the most Honourable Gentlemen I could Meet with as I have been many times attacked by many for to purchase it yet I expect I met with the best before they came some week our German's Estate men offered me one way more yet not to satisfaction and I expect this Gentleman to be the very man to settle all the troubles in that Country I have had more from the State of New York that wants to purchase more lands at Carneskey 3220 acres I have not time to write at 1st more then our writings is only yet an Article and 1st two lots is Accepted and there is a little time to settle all then I will write more fully I am in as good health at 1st as for many years and has to young men in the store I am not so confined I expect to see you in the City this Winter as I intend to make a good stay I sell more goods then ever. Give my Compliments to Mrs Hollenback & your Daughter and sincerely wishes you Every good Happiness and remains With respect yr^l
 Humbl Serv^t Joseph Lockhart
 Lancaster Decm^r 1st 1797 —
 Mathias Hollenback Esq^r

After the foregoing chapter was in type we learned of a manuscript concerning this family in the possession of Mrs. S. W. Badger, a resident of Athens to-day. This is a copy of the gleanings of Mrs. E. B. Beaumont (deceased), a descendant of Col. Eleazer Lindsley. The records say that this name, both in England and America, has always had as many spellings as it has letters, father and son often using different ones. It was originally derived from the numerous linden trees with which the family lands abounded in Linddeseya, later Lindsaye and now Lincolnshire. The original emigrant John Lindsley came from England (near London) and settled in Guilford, Conn., where he died in 1630. The family were all strong Presbyterians, therefore persecuted; Frances, son of John, was a friend and staunch adherent of Cromwell, after whose death he decided to follow his family to America, about 1659. A few years later, during the troubles between different Connecticut Colonies, the brothers, John and Frances, joined a band of the disaffected, and purchased a large tract of land in New Jersey, and laid out the city of Newark. John, son of Frances, was the first boy born in the new settlement, and the proprietors gave him a tract of land where Orange now stands. Later, Frances bought a tract covering the present site of Morristown, where he died at the age of 104. Colonel Eleazer Lindsley (as he and his descendants have spelled it) was a great grandson of Frances, being a son of Jonathan, son of Jonathan, son of Frances, as found in Connecticut and New Jersey State records. Eleazer married Mary Miller, granddaughter of Thomas Miller and Margaret Wallace, and had two sons and six daughters. Mrs. Hopkins, Mrs. Backus and Mrs. Paine have already been mentioned. One of the sons was also a temporary resident of Athens. Anna m. Dr. Ezekiel Mulford and had thirteen children. According to notes of Edward Herrick, Jr., the Mulfords also lived at Athens, and died there of the "cold fever." They were the great great grandparents of Mrs. Badger. Eleazer Lindsley was in active service all through the Revolution, attaining to the rank of Colonel; was aide-de-camp to Washington, and finally on the staff of General Lafayette, who became a personal friend and visited at the Lindsley home some weeks. On his departure he bestowed upon his host a ring from his finger and a court vest, which was preserved by the family by being cut up into pincushion covers.

This manuscript also contained extracts from a rare old book, published in Scotland, entitled "The Lives of the Lindsays," by Alexander William, 24th Earl of Crawford. The only copy known in America belongs to Mrs. Mary Lindsley Porter. It contains the history of the family, autographs, crests, armorial bearings and a genealogical table. The family of Eleazer claim descent from Sir John Lindsay of Craigie Castle. All the Scotch and English families were celebrated for their literary talents, as well as for their staunch adherence to the Presbyterian faith. Lack of space precludes further mention of this interesting family.

PART III

THE PENNSYLVANIA CLAIM

1798-1830

For the greater part of the material used in the narrative of this epoch we are indebted to the late Edward Herrick, Jr., who rescued from *proposed destruction* masses of letters and valuable documents belonging to General Henry Welles, and found in his home, the old Stone House. Further data of interest have been drawn from the minute account books of George and Henry Welles, preserved by the forethought of the late E. H. Perkins, and now stored in our museum, as well as from one found by the workmen who pulled down the old house of George Welles in 1896. Much additional material came from the letters and papers of Clement and David Paine, all new and unused. All the letters found are so full of interest, and make plain so many disputed points in the history of the time, that no apology seems necessary for copying many of them at length. They prove that often history *compiled* is clearer than that freshly written.



Arthur Wellesley

CHAPTER XVI

1798-1810

THE PENNSYLVANIA CLAIM

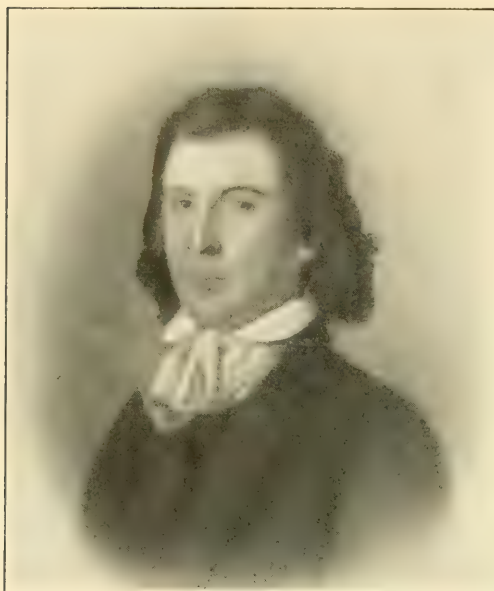
The Coming of the Pennsylvania Claimants to Tioga Point—Their Various Experiences and Experiments—Another Epoch of Anticipated Greatness as Told in Old Letters—Effect of the Compromise Law and Previous Acts—The Controversy that Grew Out of the Enforcement of Lockhart's Claim

As has been shown, the way of the Connecticut settler was not an easy one at Tioga Point. Yet for twelve years after the Susquehanna Company's grant of Athens, Josiah Lockhart seems to have been almost unknown. Why he did not press his claim is an unsolved problem. No mention of it has been found, except in the one deed mentioned, in records, letters or diaries of the period. The enactment of the Intrusion Law in 1795, and the efforts to enforce it, now led to a revival of hope in the minds of the Pennsylvania land claimants; and this brought about the third epoch in Tioga Point history. Josiah Lockhart evidently had kept in touch with Matthias Hollenback, and affairs at "the Point,"

and must have asked him to be on the lookout for a good customer for the "Indian Arrow." The foregoing letter, hitherto unpublished, is somewhat enlightening. Although no names are mentioned, it is very well known that the proposed purchasers of the Indian Arrow were Richard Caton,¹

George Welles and Ashbel Welles, of Baltimore and Connecticut. Some knowledge of previous transactions of these men may reveal other reasons for the purchase, which was made for £6,000, according to Deed recorded in Luzerne County Deed Book No. 5, p. 431. In spite of the wealth of old letters at hand we have very little information concerning this purchase.

¹ Richard Caton was born in England in 1763 and emigrated to Baltimore, *it is said*, in 1785, where he became at once an active merchant, and a prominent citizen; remaining a resident until his death in 1845. He was a tall, handsome man of fine presence and dignified carriage, and soon won the heart of Mary Carroll, daughter of the well known Charles Carroll of Carrollton. "She was a particular favorite of General Washington, and one of the most charming ornaments of the Republican court." After their marriage, November, 1786, she was familiarly known as "Polly Caton" (see Life of Charles Carroll of Carrollton). Their three oldest daughters all married into the aristocracy of England; becoming Marchioness of Wellesley, Lady Stafford, and Duchess of Leeds. Their beauty was such that they are still remem-



Richard Caton

Richard Caton, though English by birth, was a man of true American enterprise; trusted abroad as at home. At this time he was 35 years old, and as full of schemes for Tioga Point as Franklin and associates were in the height of the new state fever. Whether Caton believed that troops would be sent to drive out the Connecticut settlers according to Act of 1797, or whether he knew of the second new state scheme, cannot be ascertained, but he surely showed a great determination to make Tioga Point a capital town.

As for his partners in the endeavor, George and Ashbel Welles² had been engaged together in Connecticut as ship builders and ocean traders. They were already known to

bered in England as "the three American Graces." "The Marquis of Wellesley, (elder brother of the first Duke of Wellington) and Governor General of India and Viceroy of Ireland, was one of the first English peers to marry an American, Marianne, daughter of Richard Caton, and widow of Robert Patterson, whose sister Elizabeth was the first wife of King Jerome Bonaparte of Westphalia." The two older Caton girls visited Tioga Point with their father, and stayed at Dr. Hopkins', well remembered by Julia Anna Shepard. A fourth daughter married John McTavish of Maryland, and their descendants are well known in the Baltimore of to-day. It is by their courtesy that we are able to present the fine portraits of Richard Caton as the handsome, impetuous youth, and again as the very aged man. The early portrait was apparently painted when he was about twenty years old, with auburn hair tied in a cue. These two portraits now hang in the Art Gallery of the Maryland Historical Society, to whose courtesy we are also indebted. Richard Caton, while in many ways a successful business man, was so full of schemes that he may almost be called visionary. But his belief in the assured importance of Tioga Point, and the wonderful trade to be developed from the navigation of the Susquehanna, were real, indeed, and never seemed to falter as long as he lived. His death occurred in 1845. Judging from the letters, his active interest in Tioga Point ceased about 1825 or 1830.

² [George Welles and his brother Ashbel were born at Glastonbury, Conn., in 1756 and 1763, the sons of John Welles, fourth in descent from Governor Thomas Welles, the original immigrant of their line. He came from England about 1636. Albert Welles, in his "History of the Welles Family," a book not free from grave doubts as to its general accuracy, says he probably came from Northamptonshire, forced to leave England for nonconformity to the established church; records from Northampton seem to establish this, although Essex is thought to have been the family home of this branch. It is well known that they were originally Norman, and came in the train of the Conqueror. From the eleventh to the fifteenth century, the family was numerous and influential, having baronies and large estates in several counties of England. In the reigns of Richard and John, Hugo de Welles was Bishop of Lincoln, and his brother Joscelyn de Welles was Bishop of Bath and Wells; the prelates were also the principal constructors of the two grand cathedrals with which their names are associated. As "Lords Spiritual" in Parliament, their seals were attached to the Magna Charta, wrested from King John. During the disastrous "Wars of the Roses" the old English nobility was nearly exterminated; and this old family did not escape. Having taken sides with King Henry VI, the last of the barons Welles, father and son, were beheaded by the victorious Edward in 1469 or 1470. Later, Leo Lord Welles obtained restitution of the family lands and honors, and his son John, Viscount Welles, married the Princess Cecilia, daughter of Edward IV; but as he died childless, the title went into abeyance.

Caton in a business way. In 1789, through some troubles brought upon them by a brother, they left Connecticut, and made their way south, seeking some new field of activity. By advice of Philadelphia friends they first sought at Alexandria Gen. Daniel Roberdeau,³ a man of means, disposed to assist them. After spending some time in Roberdeau's home, as well as at Baltimore, George Welles decided to return to Connecticut, and Ashbel settled temporarily at Baltimore about 1790; and they at once resumed their old trade of ship building and shipping, as recorded in their correspondence. The trade was nearly all with Baltimore, although sometimes much further south, and was in all kinds of produce. A cargo



Richard Caton

Thomas Welles was elected Treasurer of Connecticut in 1639; Secretary in 1643, Deputy Governor in 1654, Governor in 1655, Deputy Governor in 1656, Governor in 1658, and Deputy Governor in 1659, dying in office January 14, 1660. John of Glastonbury's descent from him was through (1) Samuel, 1630, m. Elizabeth Hollister; (2) Samuel, 1660, m. Ruth Rice; (3) Thomas, 1693, m. Martha Pitkin; (4) John, 1729, m. Jerusha Edwards, a descendant of William Edwards, grandfather of President Jonathan Edwards. George Welles, son of this marriage, and his wife, Prudence Talcott, were each descended, through different lines, from Lieut. John Hollister of Wethersfield, progenitor of the New England family of that name. The brothers George and Ashbel were closely associated from an early period. George's motto was "Begin small, and let industry recommend us—go slow and sure." He was a graduate of Yale, and was the captain of a students' company recruited for the purpose of defence at the time of Tryon's invasion in 1777; his only known portrait being a crude representation of him in that character, supposed to have been drawn by his classmate St. John Honeywood.

The children of George Welles were Gen. Henry, 1780-1833, m. Sally Spalding; Susan, 1783-1865, m. John Hollenback, Owego; Charles F., 1789-1866, m. Ellen J. Hollenback; James M., 1795-1817, died unmarried, and Mary, 1803-1879, m. William Pumpelly, Owego.

Ashbel Welles married Sabina Parsons, sister of Mrs. Judge Williston; his children were George Ogden Welles of Athens and Parkersburg, W. Va.; Laura Sedgwick, 1802-1881, wife of David M. Cook, and Mary Ann, 1803-1865, wife of Edward W. Warner of Owego. Ashbel Welles removed to Athens in 1800, having been "pushed" up the Susquehanna River, with his goods, by John Lewis Shaw, who spoke of him as a talented and versatile gentleman, whose graces added much to the general enjoyment at a Democratic jollification at Sheshequin, in March, 1801, in honor of Jefferson's induction into the Presidency. In 1804 he was living at Owego, and was a member of the New York Assembly; in 1806 he was Clerk of Broome County, and died at or near Binghamton, April 4, 1809.] His descendants were residents of Athens or vicinity for at least twenty-five years after his death; but we have been unable to obtain further information. Interesting records of the Welles and Talcott families, in many divergent lines, have been traced by Prof. Raphael Pumpelly, copies of which are in possession of the writer, who will loan them for reference.

³ Roberdeau was a celebrated French Huguenot, who had gained distinction in the Revolutionary army, was a friend of Washington, and had great influence in favor of the Declaration of Independence. But, according to letters written by George Welles, while in his house, he was at this time changeable and indiscreet to his business associates, full of promises and projects which were not perfected, and George concluded it was unsafe to be associated with him.

of white beans, a whole cargo of cheese alone, corn, oak lumber, cotton, etc., were interchanged between Hartford and Baltimore. One large cargo of pork, beef, tallow, butter, etc., was sent to Surinam.

A brisk trade by land was also established in mules and horses; the former sent from New England to Virginia for the regular army; the latter from Maryland to cater to the fancy taste in horseflesh arising in New England, called in 1796 "a rage for fine horses." Considerable money was made by these ventures, and finally, in 1796, Ashbel became merchant partner of Richard Caton, who was quick to recognize the shrewd business capacity of the Yankee. The firm name was Ashbel Welles and Co., the date January, 1796.

In 1792 a Baltimore paper reported "Many rafts are in from Tioga Point, Penna." These were probably the first ones run from that town, and when, in 1796 or 1797, the first ark loaded with lumber and wheat (from Steuben County, N. Y.) reached the mouth of the Susquehanna, the possibilities of the navigability of the river caused great excitement in Baltimore and a desire for speculation in land. It may be the lumbermen told of the uneasiness of the Connecticut settlers at Tioga Point. At any rate, George Welles was in Baltimore about this time, and it appears a partnership was formed for the purchase of Lockhart's "Indian Arrow." Possibly the proposed purchasers visited the Point, learning the sentiment of the settlers, and considering the business possibilities, before making a proposition to Lockhart in October, 1797. The transaction was consummated March 1, 1798, according to the deed. This title being of interest to many, and having been the foundation of long litigation, is here inserted in full. It will be seen that each partner had an undivided third. From George Welles' ledger, labelled "Tioga Point Purchase," it is learned that Richard Caton made the first payment on stock account \$3,200, and that four bonds, each for \$3,200, were given as security to Lockhart, payable on 27th October of 1799, 1800, 1801, 1802. According to later events, it appears that no more of the purchase money was ever paid, except the second bond.

THIS INDENTURE made the First day of March, in the year of our Lord One Thousand Seven Hundred and Ninety-eight. Between Josiah Lockhart of the Borough of Lancaster and State of Pennsylvania, Merchant, of the one part, and Richard Caton and Ashbel Welles both of the City of Baltimore in the State of Maryland, Merchants, and George Welles of Glastenbury in the State of Connecticut, Merchant of the other part. WHEREAS the Commonwealth of Pennsylvania by Letters Patent under the hand of the Honorable Charles Biddle, Esquire, Vice President of the Supreme Executive Council and the State Seal bearing date the third day of April in the Year of our Lord One Thousand Seven Hundred and Eight Six for the Consideration therein mentioned did grant unto the said Josiah Lockhart (Party hereto) a certain tract of Land called "Indian Arrow" situate in the Point between Susquehanna and Tioga in the late Purchase (then) in Northumberland County. BEGINNING at three Walnut Trees on the Bank of Tioga Creek thence by lands of Nicholas Kisler and Arthur Erwin South eighty-six degrees East Four Hundred and Ninety Six perches to a post on the bank of Susquehanna River thence down

the same by the several Courses thereof to the Mouth of said Tioga Creek thence up the same by the several courses thereof to the Place of Beginning containing One Thousand and Thirty Six Acres and an half and Allowance of six per Cent for Roads &c. with the Appurtenancies. TO HAVE AND TO HOLD the said Tract or Parcel of Land with the Appurtenances unto the said Josiah Lockhart and his Heirs to the use of him the said Josiah Lockhart his Heirs and Assigns for ever free and clear of all restrictions and reservations as to Mines, Royalties, Quit Rents or otherwise excepting and reserving only the Fifth part of all Gold and Silver Ore for the use of the said Commonwealth to be delivered at the Pits Mouth clear of all Charges. As in and by the said recited Letters Patent inrolled in the Rolls Office for the State of Pennsylvania in Patent Book No. 4 Page 486. Reference thereto being had will more fully and at large appear. NOW THIS INDENTURE WITNESSETH that the said Josiah Lockhart for and in consideration of the Sum of Six Thousand Pounds Current Money of Pennsylvania in Gold and Silver Coin to him in hand paid by the said Richard Caton, Ashbel Welles and George Welles at or before the sealing and Delivery thereof (the receipt whereof he doth hereby acknowledge) HATH granted bargained and sold aliened enfeofed released and confirmed and by these presents DOTH grant bargain and sell alien enfeof release and confirm unto the said Richard Caton, Ashbel Welles and George Welles their Heirs and Assigns ALL the above mentioned Tract or Parcel of Land situate in the Point between Susquehanna and Tioga Creek in the late purchase (formerly in Northumberland County but now) in the County of Luzerne and State of Pennsylvania bounded limited and described as above set forth and specified containing One Thousand and Thirty eight Acres and an half of an Acre and the usual Allowance of six per Cent for Road and Highways. TOGETHER with all and singular the Houses Outhouses Edifices and Buildings thereon erected and being and all ways Passages, Waters, Water courses, Woods, Underwoods, Trees, Fences Meadows, Marshes, Liberties, Privileges, Advantages, Hereditaments and Appurtenances whatsoever thereunto belonging or in any wise appertaining and the reversions and remainders, Rents, Issues and Profits thereof and also all the Estate, Right Title Interest Use Trust Property, Possession Claim and Demand whatsoever of him the said Josiah Lockhart at Law and in Equity or otherwise howsoever of in to and out of the same Tract or Parcel of Land and Premises and every part thereof TO HAVE AND TO HOLD the said described Tract or Parcel of Land, Hereditaments and Premises hereby granted and released (or mentioned or intended so to be) with their Rights Members and Appurtenances unto the said Richard Caton, Ashbel Welles and George Welles their Heirs and Assigns. To the only proper use Benefit and Behoof of the said Richard Caton, Ashbel Welles, and George Welles, their Heirs and Assigns for ever, as Tenants in Common; that is to say, as to one equal undivided third part thereof to and for the only proper use, Benefit and Behoof of the said Richard Caton his Heirs and Assigns for ever as to one other equal undivided third part thereof to and for the only proper Use, Benefit and Behoof of the said Ashbel Welles his Heirs and Assigns for ever. And as to the one other equal undivided third part thereof to and for the only proper use Benefit and Behoof of the said George Welles his Heirs and Assigns forever free and clear of all restrictions and Reservations as to mines, Royalties, Quit Rents, or otherwise excepting and reserving only the fifth part of all Gold and Silver Ore in or upon the hereby granted Premises of the use of the state or Commonwealth of Pennsylvania to be delivered at the Pits Mouth clear of all Charges. AND THE SAID JOSIAH LOCKHART for himself, his Heirs, Executors and Administrators doth covenant, promise and grant to and with the said Richard Caton, Ashbel Welles and George Welles their Heirs and Assigns by these Presents that he the said Josiah Lockhart and his Heirs the said Described Tract or Parcel of Land, Hereditaments and Premises hereby granted and released (or mentioned or intended to so be) with the Appurtenances unto the said Richard Caton, Ashbel Welles, and George Welles their Heirs and Assigns, against him the said Josiah Lockhart and his Heirs and against all and every other

person and Persons whomsoever lawfully claiming or to claim the same or any part thereof by from or under him or them or any of them or by from or under the said State or Commonwealth of Pennsylvania shall and will Warrant and forever Defend by these Presents. AND further that he the said Josiah Lockhart and his Heirs and all and every other Person or Persons whomsoever now having or lawfully claiming or hereafter to have and lawfully claim any Estate, Right, Title or Interest whatsoever of in to or out of the said described Tract or Parcel of Land and Premises hereby granted or mentioned to be granted with the Appurtenances or any part thereof by from or under him or them or any of them shall and will from Time to Time and at all Times hereafter upon the request and at the proper Costs and Charges in the Law of the said Richard Caton, Ashbel Welles and George Welles their Heirs and Assigns or either of them make do execute and acknowledge or cause or procure to be made done executed and acknowledged all and every such further and other lawful and reasonable Act and Acts, Deed and Deeds Thing and Things, Devices, Conveyances, and Assurances in the Law whatsoever for the further better more sure perfect and absolute granting conveying assuring and conforming the said described Tract or Parcel of Land, Hereditaments and Premises hereby granted and released (or mentioned or intended so to be) with their Rights Members and Appurtenances unto the said Richard Caton Ashbel Welles and George Welles their Heirs and Assigns for ever as by them the said Richard Caton, Ashbel Welles and George Welles their Heirs and Assigns or their Counsel learned in the Law shall be lawfully and Reasonably advised or devised and required. IN WITNESS whereof the said Parties to these Presents their Hands and Seals have hereunto interchangeably set the Day and Year first above written.

JOSIAH LOCKHART. (SEAL.)

SEALED and DELIVERED in the Presence of us: Conrad Schwartz, Henry Pinkerton, Philip Gloninger.

Received on the Day of the Date of the above written Indenture of and from the above named Richard Caton Ashbel Welles and George Welles the Sum of Six Thousand Pounds Current Money of Pennsylvania in Gold and Silver Coin or good and sufficient security for the same being the full Consideration Money above mentioned.

JOSIAH LOCKHART.

Witnesses Present at signing by me: Conrad Schwartz, Henry Pinkerton, Philip Gloninger.

PENNSYLVANIA STATE.

Be it remembered that on the First day of March in the Year of our Lord One thousand Seven Hundred and Ninety-eight, BEFORE ME, Jasper Yeates, Esquire, one of the Associate Judges of the Supreme Court of Judicature of the Commonwealth of Pennsylvania, personally appeared the above named Josiah Lockhart and acknowledged the above written Indenture to be his Act and Deed to and for the Uses and Purposes therein mentioned and desired that the same may be recorded as such according to Law. IN TESTIMONY whereof I have hereunto set my hand and seal the Day and year aforesaid.

J. YEATES. (SEAL.)

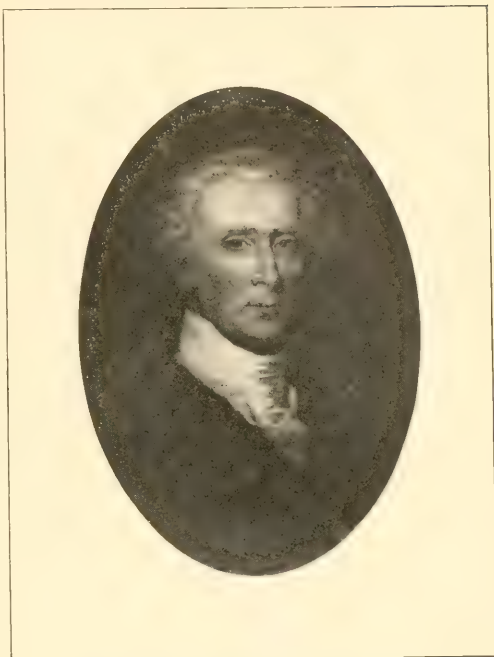
LUZERNE COUNTY ss.

I, Benjamin Newberry, Recorder of Deeds in and for the County of Luzerne, Do Certify the foregoing to be a true Copy of a Deed from Josiah Lockhart to Richard Caton, Ashbel Welles and George Welles, as Recorded in the Office for Recording Deeds in the County of Luzerne in Deed Book No. 5 page 431. In testimony whereof I have hereunto set my hand and affixed the Seal of my office at Wilkesbarre this 12th day of June, A. D. 1810.

BENJAMIN NEWBERRY, Recorder.

Charles Carroll, of Carrollton, the father-in-law of Richard Caton, may have advanced the necessary funds for embarking in this enterprise, but the deed proves that *he was not the original purchaser*, as has been stated by previous historians. He was apparently indifferent to it, and only concerned as the financier of his son-in-law, although he later became possessor of a part, and was an extensive land owner west of the river in this region; some account of which will be given later.

It was decided that George Welles should go on the ground; and having arranged his affairs in Connecticut, he arrived at Tioga Point July 11, 1798, as shown in his petty account book, whose first entry is July 12. Previous arrangements must have been made to open a store, with James Irwin,⁴ who had built a small public house on second



CHARLES CARROLL OF CARROLLTON
By permission of Maryland Historical Society

James Irwin
lot north of Academy; as Welles had purchased goods of Ashbel Welles & Co. to the amount of \$3,600, and in January, 1799, ordered more, to the amount of \$7,413. He also made a private venture in the purchase of land over the line, near Spencer, N. Y., with money furnished by his sister, Jerusha Welles. The account book records that James Irwin owned 14 town lots and 18 ten-acre lots purchased under the Connecticut Claim, which were sold to Welles and Caton for \$6,000, payments extending over six years. This sale must have been prior to Welles' permanent arrival, as the old Masonic records state that the meeting for the organization of Lodge No. 70 was held *May 21, 1798*, at the house of George Welles, on Tioga Point. The family of Mr.

⁴ While nothing is known of the origin or early residence of James Irwin, letters indicate that he was well known in Baltimore, where he had large business transactions, and in after years was much distrusted. Evidently he was a man of means, and large ventures; quite possibly his goods were purchased of Ashbel Welles, whom he may have acquainted with Tioga Point. He has been often confounded with family of Col. Arthur Erwin, a careless blunder. While at Athens he married, in 1798, Lucy, daughter of Noah Murray, Sr., who, with her child, is buried in the old cemetery. He removed to Newtown and later to Painted Post. In 1806 his house was burned, containing a large amount of cash, although he was heavily in debt, and distrusted therefor. Caton's letters show that at a later date he sought to re-establish his claim at Tioga Point and injure the Pennsylvania cause. Though devoid of right principle, he must have been a man of unusual ability.

Welles remained in Connecticut; though some family traditions say differently, the faithful account book records expenses of journey *only* for self and son, Henry; and there is further evidence in annexed letter.⁵ (Also a record has been found, in the hand writing of C. F. Welles, indicating that they arrived in August, 1799.

It would be interesting to know how the coming of the Pennsylvania Claimants to the whole Point, from the meeting of the waters to above Mile Hill, was regarded by the Connecticut settlers. Unquestionably many, living in terror of the armed enforcement of Intrusion Law, saw an easy way out in selling their lands to George Welles and moving on; which they accordingly did. For the partners in purchase had agreed to buy out at least all the settlers on the Point in and below the village plot. Besides Irwin, the immediate purchases were of Isaac Cash for \$120; Ira Stephens, \$100; Nehemiah Northrup, \$130; David Paine, \$400; Henry Decker, \$500; Jonathan Harris, \$75; Nathan Bull, \$135; John Shepard, \$60, and Solomon Beebe, the whole amount paid being about \$1,500. All proved amicable except Elisha Matthewson, who had, as occasion offered, made additional purchases or exchanges, until he owned about 125 acres on the Point farm, of the land cleared by the Indians. "A very generous offer was made to him but declined with scorn."

The "Welles and Caton store" was on the lot now occupied by Mrs. G. T. Ercanbrack, and may have been built prior to Welles' arrival. The ledger shows business was brisk for Welles and Caton; even the Owego people came to trade at the new store. At a late day some comment and criticism has been found written to Matthias Hollenback by his agent at this time:

July, 1798. "The new store is in full vogue here at present. Mr. Welles spoke to me to-day about your selling out to him house land &c, what your price and pay as he had heard you want to sell, Mr. Irwin also would buy for cash, Mr Welles is very anxious, expects a great many people to move to this country in the Spring."

This news evidently brought Mr. Hollenback to Tioga Point, but the bargain was not consummated. Many of the goods did not arrive until late in the season, having to be poled up the river, a tedious job, which in this instance cost \$50. Trade was so brisk, however, that more soon had to be ordered. The account books record every article sold and an unusual amount of cash received. Had we not seen the Hollenback invoices it would seem that only pewter dishes had heretofore been available; as surely every family in all the country round

⁵ "Tioga Point. 29th Nov. 1798. My dear Suky (Susan). I am informed that this is the day after Thanksgiving in Connecticut. If so I hope you have an Opportunity and Disposition to be sociable and happy. I should rejoice that Harry and I could be home this evening to take a bite of your Pumpkin pies, &c. &c. Any how we wish you and the other young Ladies a pleasant time. In this Country they know none of Thanksgiving pies. Pitkin Pratt is here, going to set up his trade. His tools, stock &c. are with our goods at Harrisburgh. Pratt appears to be steady and likely. Had our Goods arrived I intended to have sent you a handsome cloth for a Surtout or Coat. Martin Skins are not yet brought to market—now is the time to catch them. I shall purchase both for you and your Aunt, and my little dear you shall have good ones. I hope to be able to bring them when I come home. * * * I am my dear Daughter, your affectionate Parent, George Welles."

purchased a china tea set. February, 1799, Mr. Hollenback's agent writes:

"Mr. Welles has got on his goods that he had sent for when you were here and is dashing away as largely as ever; he trades from \$50 to \$200 in a day, and the people carry off back loads of his goods every time they go there. I have done nothing (in trade) since his goods came. March 1799 Mr Welles not so anxious to purchase Connecticut title as he is very sure of the whole."

This second lot of goods had been long delayed, as the boats were stopped at Harrisburg by the ice, and goods had to be conveyed hence in sleighs, a slow and expensive process. Still more goods were brought that spring, as a charge is entered, "\$93.38 for boating 3 tons 2 cwt. and 1 quarter of goods from Harrisburg, Archelaus Ellis, Boatman." A distillery was built in January, 1799, and went into immediate operation, grain being brought from Wysock, Asylum and Towanda.

Take it all in all, at the beginning of 1799 the prospects seemed pretty bright for the newcomer, even if Franklin, Satterlee and Mathewson were arrayed against him. Confident of the approaching increase of navigation on the Susquehanna, and unsuspecting of coming disaster, in April George Welles built what for years after was known as "Welles' Folly." According to his ledger, it was the "Wharf on the little Flats," and "cost \$1250." Tradition says this was built with slips for steamboats, but there is no written record further than that given. The "little Flats" was a name given to the land on the Susquehanna River from village plot to the cove. The bright outlook was short lived. That very spring "the failure of Welles and Caton in Baltimore involved the whole of the concern at Tioga Point in ruin." There are no letters concerning this catastrophe, but plenty of records. May 14, 1799, Ashbel Welles deeded his undivided third to Richard Caton, and⁶ the same day George Welles mortgaged his third to Caton in security for $\frac{1}{3}$ \$16000.⁷ The best idea of the concerns of the partners at this time is gleaned from Richard Caton's letters, although George Welles had not the careful habit of his son, Henry, shown in preserving copies of every letter he wrote. However, it is often easy to supplement with records. June, 1799, the store books were taken to Baltimore, so the store must have been closed.⁸ May 16, 1800, Caton writes to Ashbel Welles (who had now moved to Tioga Point) that he had been expecting George Welles, who was rafting down the river. Caton reports a very depressing business outlook in Baltimore; and discourages a proposed attempt to find purchasers there for land at Owego, adding:

"Yet to possess or to speculate in real estate on the Susquehanna is a most certain mode of acquiring wealth, for as sure as the waters of the River flow to the Chesapeake, the produce as certainly will, and that ere long in great quantities; and when that does take place on a footing of security, by having the obstructions of the river removed, the lands will take such a rise as must greatly benefit every man who holds them."

⁶ See Luzerne Co. Deed Book No. 6, p. 208.

⁷ See Luzerne Co. Deed Book No. 1, p. 379.

⁸ It is surely astonishing that these very books are now in Athens, the accounts being continued in the name of George and Henry Welles.

He proceeds to wish "with all his heart, that Ashbel might purchase lands with good title, and profit thereby," and tells him if he can find such near to the river, he will make a great profit inside of five years, adding:

"For by that period *we shall have the navigation complete*; indeed in this year the bed of the river will be cleared, and by next Spring I hope to see lumber flow down without difficulty or danger."

In spite of these sanguine expectations, it was only two weeks later that Caton mortgaged his two-thirds of the Point to Charles Carroll, of Carrollton, for the payment of \$41,000. There is nothing to indicate that this was the purchase money for the Point, as often assumed. Only \$3,200 had been paid to Lockhart, and it is fair to suppose that this amount was borrowed of Carroll to discharge the debts of the firm of Ashbel Welles & Co. At the same time Caton assigned to Carroll the mortgage of George Welles for the other third of the Point.

An extract from this mortgage describes the property as

"known by the name of Tioga Point in the town of Athens (*so-called*) by the location made under the title of Connecticut,"

and speaks of the settlers as "*persons holding possession or claiming rights under the Connecticut title, whether in law or equity.*" Previous to this, to offset the movements of the revived Susquehanna Company, an organization had been formed, called the Pennsylvania Landholders' Association. There were now many bitter contests in the legislative sessions, at which Franklin was actively present, for he was a member of Assembly from 1799 to 1805 continuously, often receiving all or nearly all the votes of the district. The division of the county was under consideration, with a view to excluding Franklin from Luzerne, but the Connecticut settlers would not be downed. In January, 1801, an effort was made by petition, which can best be explained by extracts from Caton's letters to Clement Paine and George Welles between January and August of 1801. These letters reveal the true condition of affairs at Tioga Point, also Richard Caton's adherence to air castles, and his conviction as to the coming greatness of the Point, in which view he was not alone.

While there were at this period stirring times throughout the seventeen townships, by reason of the attempted adjustment of claims by the State-appointed commissioners, it seems best to follow up first the Caton correspondence:

"7th Jan'y, 1801.—To Clement Paine.—By a letter from Mr. George Welles I find you intend being at Phil'a on the 10th inst. with the expectation of getting signers to the Petition for a County Town at Athens. * * * I hope you will obtain from the Landholders at Phil'a, holding lands in Luzerne County the approbation of the County Town being fixed at Athens. It is a subject in which they are much interested, and which will eventually add greatly to the value of their lands. I have written Mr. Welles of this business. I hope he will give you his signature and recommend others to follow his example. * * * After you have finished your errand in Phil'a it would be advisable to go to Lancaster, there call on Charles Smith, and Mr. Josiah Lockhart, they will both expect you. * * * Whilst in Phil'a call on Mr. Adlum. He is appointed by the Legislature of Pennsylvania to lay off the northern part of the State into districts. I have written to him pointing out the advantage of Athens for a County Town. I

hope he will accord with me, and give it his recommendation. You may observe to him that the establishment of it as a Town is principally opposed by those who feel no interest in the general improvement of the Country. That the holders of the Lands do not possess the property under the legal title of Pennsylvania—that Tioga from its natural position commands the Trade of the eastern branch, and the Chemung River. That it will probably control the Trade of the Lakes. That in case of a division of the State, the possession of a Town at Tioga, will be an important acquisition;—and that no place in that neighborhood, bids so fair, to command an important commercial consequence, as its local advantages have even at the present time under many embarrassing circumstances established a respectable Trade, and that it is at this time, capable of accommodating the officers attached to the courts of Justice, and of furnishing convenient apartments for a Court of Justice. * * * Let me hear from you every day how you progress. R. CATON.”

“19th Jan'y, 1801.—Mr. Clement Paine.—It was not requisite that I should meet you at Phil'a, as you were competent to do every thing that can be done there. I shall leave for Lancaster to-morrow, if the weather permit. Mr. Adlum has already laid off the County. He is of opinion that Tioga Point will be the County Town. Commissioners are appointed to fix on a spot for the Town, and will, in some degree, be influenced by the offers of different parties, who may give money to build a court house, or lands to establish schools. Our Territory of Tioga Point forbids of our giving Lands, as the tract is too small to admit of it. We may however manage to build, or to contribute towards a fund for the Court House. The location of Mr. Adlum is not materially different from the one recommended by Geo. Welles. I request that you will forward by some safe hand going on the Stage for Lancaster, the petition in your possession—and put it in a cover, and that inside another cover directed to Josiah Lockhart, Esq., Lancaster. R. CATON.”

“Lancaster 29 Jan'y 1801.—To George Welles:—I have been here since Friday. * * * Mr. Paine has not forwarded me the petition. * * * I did not attend at Phila., as it was not necessary. I believe he was little successful there, as all landholders were of opinion that it was a trick to get the seat of Justice at Tioga for purposes intended to defeat the execution of Justice. When I reached Lancaster I found a number of gentlemen attending the Legislature in behalf of the land-holders of Luzerne County, praying the state to take such measures as they might deem necessary to protect the lawful proprietors of the land. A committee have been sitting on the question, and much evidence has been given against the intruders. Mr. Franklin defended their pretensions and the committee as well as the Legislature are heartily sick of him.

“I believe very energetic measures will be adopted to remove them, or to compel them to buy the title of Pennsylvania, should the proprietors be willing to sell.

“The things contemplated by the committee are—

“To appoint an agent to act on behalf of the state, to eject all persons holding lands in possession for the state of Connecticut, and to punish by fine and hard labor, all those who have obtruded since. For this purpose they will be compelled to show that they hold the Penna. title. The State's agent will have large power, and if necessary, the militia to support him. The persons to be ejected and to be punished as intruders, are to (be) prosecuted in mass. That is, 100 of each will probably be brought to justice at the same time.

“It is probable the county of Luzerne will be limited to the 17 towns, and the other parts of the county adjacent to Northumberland, Northampton and Lycoming. This will be done to effect a more certain execution of justice, and after the evils be removed, it will undergo such a division as may be thought best. The county embracing the Point will be from the beaver's dam of Towanda to the York line, along the York line about 40 miles, then to the waters of Wyalusing up the Susquehanna river, and up the Towanda to the beaver's dam. This is not the exact location, but pretty nearly so. I suppose commissioners will be appointed to locate the county town, when this is done, I will attend to it. I am of opinion Tioga will be fixed upon.

"It is probable that the State agent will fix his residence at the Point. Much warmth may be expected at this crisis. I recommend to you to keep yourself as much clear as possible, consistent with those necessary services to promote the end the state has in view. All persons on the Point will be ejected, and as the laws of the State will probably prevail, it is necessary that we should resolve in our minds what we are to do with those who have built on our property. I think we should be merciful, and give them the property on easy terms,—for instance, a dollar a year ground rent for a lot of 50 feet front, but on no account let the lot run to the water. A road must be kept on each bank of the river. I would have you to get those to whom you may have sold to consent to this measure, but do not sell any lots without my consent.

"The River will, I expect, be opened this year. A law is before the Legislature for the purpose, etc. R. CATON."

"Baltimore Feb. 1801.—Mr. C. Paine:—Your letter of the 1st accompnys the petition. I did not receive it in Lancaster as I had left that place previous to the return of Mr. Lockhart. It was sent to me by Post from thence.

"The Legislature will not at present divide Luzerne County owing to a spirit of opposition to the Laws, and Intrusion under the titles of Connecticut. They appear to me rather disposed to let the 17 towns only remain the County of Luzerne, and to attach the other part of the county to Northampton and Lycoming. The measures intended to be adopted by the Legislature for the punishment of intruders, had given the proprietors of the soil under Pennsylvania possession, and example was made of certain persons who had trampled on the Laws of the State with impunity. I did not, however, wait to see the issue of the bill preparing for these objects. It is truly deplorable to see so fine a Country as the greater part of Luzerne certainly is, little better than a desert. I was in hopes that the compromise would have restored tranquility—the Legislature had the same expectations. And the disappointment of these well grounded hopes has raised them up to measures of coercion. The good sense, the habits of order and industry which the settlers in Luzerne from the New England States, certainly possess, with few exceptions, will I think induce them to submit to the Legal authorities of the State; a different conduct might bring misfortune. It is certainly (on the score of self Interest) their benefit to see the Country improved and settled. This cannot be the case as long as the Settlers on one title feel insecure as to the possession of the property, and on the other as to the safety of their persons. The present year will, I think, accomplish the opening of a tolerable navigation to tide water. The high prices of grain and lumber must excite a spirit of industry and in a few years give a face to the Country around Tioga. Mr. Franklin, I am well informed, is an enemy to the establishment of a county town at Tioga. I can't agree with his policy in the opposition, for if he has any property near to Tioga it must benefit by a County Town being fixed at that point. R. CATON."

July, 1801.—Mr. George Welles:— * * * I am sure lands will rise on the opening of the River; the persons engaged for this object are now at work, and I believe a safe communication will be made to tide water from Wright's Ferry.

"I am informed that a Mr. David Harris lives at or near Tioga, who was employed by Major Adlum to run some of the lands in his district, among the rest he run mine. I could wish to engage him to accompany me in the examination I mean to make of these lands, and to execute the surveying I wish to have done, have the goodness to find him out, and to engage him to accompany me. I fear, however, that my object of surveying these lands will be defeated for the present, as I understand that violence has been offered to one of the deputy agents of the State, acting under the Law of last session. If this has happened, I would not be surprised if the Government were to use great pains to bring the offenders to severe punishment.

"I suppose you accepted your commission of magistrate on the way homeward. Clothed with this authority they will respect you.

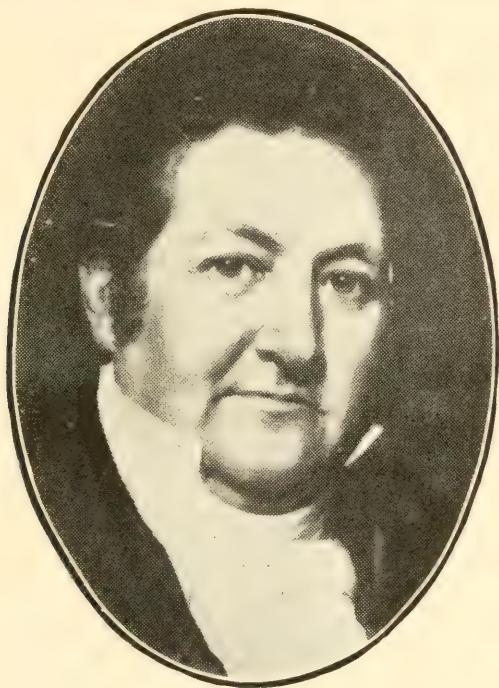
"Mr. Goldsborough is the bearer of this letter. His intention is to settle at New Town. I do not think you can induce him to fix at Tioga. The want of traders there will delay the progress of improvement materially. I want to hear * * * of the success of your harvest. Wheat will be low here most likely next

Spring. At present, the wheat of your country wont sell for \$2.00, but I would not be surprised to see it at or under \$1.50 in the months of April and May. I will keep you advised. Let nothing prevent the beef and pork speculation, and if possible, have them down this fall. I am confident much may be done in these articles to advantage. R. CATON."

Apparently Mr. Caton visited the Point in 1802. The prospects of the Pennsylvania claimants were just then very bright, as in the Archives is found a letter from one of the commissioners, Thomas Cooper, saying:

"I even suspect that the Connecticut claimants will fail in making out a single title in Athens, for which I am sorry."

Doubtless this hastened the new survey of the town plot, made for George Welles in 1802 by James Pumpelly⁹ of Owego. Diligent



JAMES PUMPELLE

search has failed to reveal a copy of this survey, and though Z. F. Walker attempted to work it out by deed description, recent investigations prove his map very inaccurate; therefore it will not be introduced; it may, however, be found in the second edition of "Early

⁹ James Pumpelly and his father, John, came from Connecticut in 1801 or 1802 with a party of surveyors to Beers Settlement, in which George Welles had an interest. Father and son were surveyors. He was 28 years old when he rode on horseback the entire distance, and frankly impecunious. But he was accurate and enterprising, and soon became agent for large tracts of land, and with his brothers surveyed the "Twelve Townships." He located at Owego, and soon became the largest land owner in that region, and as public spirited as wealthy. We are indebted for his portrait to Mr. Leroy W. Kingman of Owego. He first proposed to locate at Tioga Point.

Times." According to Pumpelly's survey, Main Street was called North and South Union Street, the dividing line being Welles Street, which ran from river to river, a little north of Hopkins Street (1907). Running from Welles Street parallel with Union was Susanna Street to north line of purchase. From river to river, near present Paine Street, was one evidently named for the Virgin, Marie-la-bonne. There were others, evidently cross streets, named Carroll, Fanning, Johnson, Caton and Hamilton, which crossed the upper part of the Point Farm, Pine Street (now Island Lane) and Traffic Street, about where Susquehanna now is. On each river bank was laid out a street called, respectively, Susquehanna Way and Tioga Way; although the two latter were never regularly opened, Mr. Caton was very particular about them, continually charging his partners and agents not to sell *or lease* through to the river, doubtless because of anticipated navigation. Government Square was laid out where the Presbyterian Church now stands, extending over Harris Street; and Market Square on the plot reserved by Connecticut proprietors for school lands.

This survey was evidently made to facilitate the division of the property completed while Mr. Caton was at the Point. Undoubtedly he gave the names to the streets.

Evidently a second bond of Lockhart's had been paid, as it was deemed necessary in the partition to satisfy his claim in order to have title clear. On August 31, Mr. Caton executed a deed to George Welles:

"In trust to convey to Josiah Lockhart in full of his claim of \$8000; or if he will not accept and release then to sell as Richard Caton may direct; having in view the security of Geo. Welles and Ashbel Welles as against their liability as securities on the said Bonds of R. Caton to Josiah Lockhart" (recorded Luzerne D. B. No. 8 p 342).

The next day, September 1, the partition deed was executed,¹⁰ by which George Welles' third consisted of the entire Point as far north as Hamilton Street, which crossed from river to river not far

¹⁰ Partition Deed between Geo. Welles & Richard Caton
Luz. Co. Deed Book No. 8, P. 259
Description of R. Caton's share (2/3)

—Lands lying on Tioga Point, all those parts or parcels thereof—Beginning at the beginning of the original tract [3 walnut trees on the bank of the Chemung River—See Lockhart's Deed] and running southerly by and with the River Chemung till it intersects the north side of a street laid out in the town of Tioga Point called Marie le bonne [Marylebone] Street, thence binding on the north side of said street, easterly to the River Susquehanna; thence by and with said river northerly till it intersects the first line of the original tract, and thence westerly on said line reversely to the beginning: laid off for four hundred and ninety eight and one quarter acres (498¼).

Also all that part—lying south of the town—Beginning at the distance of eight perches and five links from the south side of Hamilton Street and twenty five feet west of a stone fixed on the east side of the road, and running thence N. 77½° E. parallel with Hamilton St. to the river Susquehanna; thence binding on the said river northerly to Hamilton St. at a distance of 8 prs. 5 links on a right angle from the first line, thence binding on Hamilton St. westerly to the River Chemung. Thence southerly, by and with the Chemung till it strikes a line parallel with Hamilton Street and at the distance of 8 ps. 5 links therefrom, and thence easterly along said line to the beginning: laid off for 6 as. 17 hundredths.

Also,—South of the town—Beginning at a buttonwood tree on the River Chemung, thence N. 77½° E. 29 chains 73 links to center of main road. Thence by the middle of main road, S. 25° W. 22 chains 50 links, opposite to a stone fixed on the east line of the main road, 25 feet from center thereof; thence S. 77½° W. 35 ch. 22 l. to R. Chemung; & Thence by R. Chemung northerly to the beginning; laid off for 56.33 acres.

Also all those 276 lots within said town of Tioga Point surveyed and plotted by James Pumpelly distinguished by numbers (here omitted * * * on Tioga Way, Mary la bone St.,

below "the White Gate."¹¹ Also twenty-four lots or parcels of ground in the heart of the village, west of Union Street, the land now lying between Chemung and Elm Streets.

November, 1802, Caton writes to George Welles, alluding to various unanswered letters, a negligence due, no doubt, to Welles' dissatisfaction with Caton's proposals. This letter was sent by the hand of a Mr. Worthington, who came to consider the country and its resources with a view to establishing himself as a merchant. Caton concludes:

"I must now try at the oar, and regain part of what I have lost."

Two months later he writes again:

"I hope your brother Ashbel has given you an opportunity of executing the deed to Mr. Carroll. * * * I hope Pumpelly will carry the location into effect. * * * We have a fair prospect of getting the navigation of the river completed from the Canal to Columbia by towing paths. The Governor of Pennsylvania offered to join with the state of Maryland and lay out \$40,000 on the work; but our legislators, too ignorant to judge well, have postponed adoption of measure, appointed committee, etc. It will rest at all events until next year and perhaps longer, but the canal must prevail in the end.

"I wrote to Mr. Lockhart and informed him of having executed a deed in trust to you for 80 lots on the Point. I have not since heard from him. I told him you would not pay him anything on account of the Bonds, as you considered yourself aggrieved by his failing to possess you of the Point.—It cannot now be helped, but it is a misfortune that we were not more explicit on this subject

Carroll St., Susanna St., North Union St., South Union St., Caton St., Government Square, Market Square, Traffic St., Susquehannah Way, Tioga Way, Fanning St., Johnson St.

Partition Deed between George Welles & Richard Caton
Sept. 1, 1802; Luzerne Co. Deed Book No. 8, P. 259
Description of Geo. Welles' share (1/3).

—Lands lying on Tioga Point, all that part or parcel of land lying and being on Tioga Point, and at the South part thereof—Beginning for the same at the distance of 8 perches 5 links from the South part of Hamilton street and 25 feet from a stone fixed on the east side of the Main Road; and running thence Easterly at the distance of eight perches and 5 links from Hamilton Street to the Susquehannah river; thence southerly, by and with the River Susquehannah to the River Chemung; thence Northerly, by and with the River Chemung, till it reaches a line of division between the said Richard Caton and George Welles, running South seventy-seven and one half degrees (77½°) West thirty five chains 22 links, thence with and binding on said line reversely to the second line of Division, along the middle of the Main Road, running South 25° West 22 chains 50 links, at the east side whereof is fixed a stone 25 feet from the centre of said road; thence along said line reversely to a third line of division, running North 77½° East 29 chains 73 links, and thence binding on said line reversely to a buttonwood tree on the river Chemung; thence Northerly by and with said river to a line at the parallel distance of 8 perches 5 links from Hamilton Street, and thence along said line to the beginning; laid out for 350 acres.

Also all those twenty four lots or parcels of ground lying within the town of Tioga Point, distinguished on a plot of said town by numbers (omitted).

Geo. Welles' deed to Chas. Carroll, date Nov. 15, 1806, conveys the same property in gross, not by metes and bounds.

¹¹ For years innumerable the White Gate marked the dividing line between the village street and the Point farm, and the name still clings, as shown in the accompanying sketch written by one of the younger generation long after the gate had been demolished.

"The Old White Gate is a myth none can trace to its origin. The oldest inhabitant has no memory of it, nor has any one ever found even a battered post to hang the fable to. Yet so closely has it become connected with the life and thought of the town that everybody uses it to reckon distance from, and invariably mentions it foremost among the points of interest to the stranger. It is always 'five miles north of the White Gate,' or 'turn to the left when you have passed the Gate,' or 'just down to the White Gate and back.' It is even down in the contract of the trolley company as the southern terminus of the line. It stands across the road at the end of the long row of maples, at the edge of the town, an invisible barrier to thought if not to travel. It marks sharply the dividing line between town and country; on one side the trolley, and squalid houses, and many children playing in the dust—on the other open fields and sunshine, the twin rivers, and the hills beyond. The stranger pauses at the end of the road and looks blankly around. He sees no gate. But I have only to close my eyes and it rises tall and white before me, looming across the roadway, with bars all drawn and fastened. It is only when I reach out my hand to touch it, or try to translate it into words, that the outlines grow dim, and I realize it is only a fairy gate, after all.—E. M., 1900."

with him. As I shall now be a competent witness, my evidence under a commission can be taken which will establish the contract, he is so unworthy that I shall be rejoiced at defeating his attempts—for he is indeed *not* entitled to more than he has got on every principle of Justice. * * * How comes on the farming? * * * acquaint me with your proceedings * * * you can release from mortgage as your *means* grow * * * people's attention is turned very much towards the Susquehanna, in a little while it must hold the first rank for eligibility of investment * * * Lands are rising so much here, that I think numbers will be induced to remove."

In the summer of 1803 George Welles evidently tried to come to some agreement with Lockhart, employing as lawyer Mr. Rosewell Welles, of Wilkes-Barre.

The following letter is in regard to this matter:

"Wilkes-Barre July 13, 1803.

"Mr. George Welles:

Dear Sir,—After I received yours *last Winter* I went to Lockhart. He was sick with a fever, and was not to be spoken to on business. I called twice—same denial—He was very low when I left Lancaster. I left a letter in case he should recover, and desired an answer. I have no doubt but an action may be maintained against him *for not giving possession*. If my memory serves he expressly pledged possession *aside* from the deed. On this promise surely the law will make him responsible. An action would recover what damage you could make appear, or should he sue you on the bonds, you may give the promise in evidence, and avail yourself in that way to defeat a recovery in part or the whole of the sum remaining due, as your damages may appear.

"In my letter I stated Caton's failure, and that all the land was in the hands of Carroll, and if he wished to get anything more he must make a liberal discount on the bonds, as it all fell on you. I made the best story I could, but have never had any answer. He is an obstinate old fellow, rich, but miserable with all his wealth. It is now a good time to strike upon him.

"The law incapacitating Jurors and Judges in this County from trying any questions involving the two titles must impress him with some idea of his liability.

"The most able counsellor in Lancaster is my friend; if you desire it I will write and see what he can do with the *dry bones*. He will ask a five dollar bill for an opinion & a letter of *Terror* to Lockhart * * *

"Yours, R. WELLES."

Lockhart's claim was never enforced.

That George Welles made some effort to end the controversy is proven by annexed letter, which is in the Mss. volume "Connecticut Claims" in the Historical Society of Pennsylvania, by whose courtesy it is given^{11*}:

^{11*} "Tioga Point 7. Nov, 1803.—Sir: The desire I uniformly feel to forward a termination of the controversy which has so long existed relative to the Lands in this country, will I hope answer as an apology for my troubling your excellency with this letter. The best, and I may say the only hope which has presented itself since I have lived in this country, now offers to put a peaceable end to the dispute—the circumstance is this—The settlers in Smithfield, Murraysfield and a part of Sugar Creek have now offered in writing to purchase the title to their possessions, at the valuation of good judges as in a state of Nature. By this the dignity of the Government will probably be satisfied & the Penna. Landholders ought to be satisfied also; but as their ideas of the worth of their Lands are very high and very erroneous, there is reason to fear they will not meet these reasonable propositions. They can not however dissent, if they have any regard to justice or their own interests. I sincerely hope the opportunity will be attended to, and that your Excellency will condescend to use your influence for the purpose. Should the thing take place, there will remain but a handful in the opposition, who would shortly be compelled to follow the example or quit the state, and thus this tedious wearisome dispute be brought to an end. I have the honor to be with the greatest Respect your

Excellency's Most Obedt. humble Servant

"His Excellency Thomas McKean

"Governor of Pennsylvania

"GEORGE WELLES."

A new actor now enters on the scene, and one destined to much prominence in connection with Tioga Point—Henry Welles.¹² He is now "running the river" with arks or rafts loaded with country produce destined for Baltimore. He is already known to Mr. Caton, having lived with his uncle, Ashbel Welles, in Baltimore several years.

Doubtless he approached Baltimore with high hopes in his heart that he might retrieve his father's fallen fortunes, for at this time the situation of George Welles was a trying one. On account of his debt to Richard Caton (probably for the first payment on the Point) he had mortgaged his third, and yet he was partially responsible to Lockhart for the payment of the bonds, Mr. Caton having assigned his mortgage to Mr. Carroll, Welles was left without a resource; a fact which very soon undermined his health and spirits. Henry, therefore, had taken the helm, and hoped to find a way out of their difficulties. He wrote as follows:



Henry Welles, —

"Havre de Grace, 16 April 1804.—My dear Dadda:—I have the satisfaction of informing you of my arrival at this place in safety; I run from Columbia to Bell's in 6 hours. Our pork and whiskey is in good order * * * the reason of my hastening to Baltimore is that there's so much whiskey going I'm afraid the price will be reduced, even from its present low ebb 4/ a Gallon. I hope to get 16 Dolls for prime & 18 for mess Pork—& about 12 cts for Lard. I dont think it worth our while to carry whiskey to Balto again but our object ought to be Pork, to that purpose we ought to buy all the Hogs we can this spring & have all the Corn planted on the farm that we can. I have thought on what Rose-

¹² Henry Welles, the eldest son of George Welles, was born at Glastonbury, Conn., 1780. He was now an active and enterprising young man, as full of business as of affection for his parents, his devotion to whom is plainly shown in his letters. While their interests were always uppermost, he was one of the foremost Makers of Athens, intimately connected with its growth and devoted to its prosperity. Tall and handsome, he was also interested and agreeable. Although he had practically no education, he became a brilliant talker and a fluent speaker. According to an admirer, "there was an irresistible charm in the magic of his conversation." Though essentially domestic, and interested in the smallest details of farming, when called to the Legislature, he became universally popular and attained a polish which set him high above his associates *in their estimation*. The development of his powers while sitting in the Legislature was most remarkable, as shown in his private letters. And yet the popular "General" was never happier than when hoeing his own corn, a barefooted farmer, as he was once found by a visiting stranger. Gentleness was a leading characteristic. His account books are marvels of precision and minuteness, and his memoranda on proposed details of farm work, made while in legislative sessions, show an oversight and forethought seldom encountered. Maligned by many on account of the controversy, he has never been estimated at his true value by the present generation.

well Welles told me relative to the insolvent Laws of Penna—he says that any person can be liberated in spite of his Creditors who conducts himself fairly and squarely, and it strikes me that it is best to take the benefit of it next fall, if our Creditors should prove severe & rigorous,—but that if a majority would acquiesce—it is best to go into the State of New York to do it,—however we cant determine at present, but after I get to Balto, & have seen Mr. Caton I will write particularly. I hope to be there to-morrow & to find a letter from you. Rosewell Welles says that the mortgage is so worded that you cannot bring Lockhart's Bonds in Bar of it even if you should pay them, and that the only claim you would have in that case would be upon Mr. Caton who you know is * * * the more I think on the subject the more I see Mr. Caton's unfair and disingenuous conduct and I never would pay either him or Mr. Carroll a Cent more than the Mortgage covers, & in any conversation with him on the subject I shall hold rather more to the *fortiter in re* than before, * * * I came within a hair's breadth of being knocked overboard in the middle of Canawoga falls—the water was rougher than common by great odds. I am with the utmost affection,

YOURS, HENRY WELLES."

Mr. Caton's next letter to George Welles, written in April or May, 1804, is not so friendly in tone. He appears to have felt the spirit in which the son had approached him, although they had apparently come to some sort of terms—

"Dear Sir, It is some time since I have heard from you or Harry and yet there are many points on which I wish for information. The repeal of the bankrupt Act defeated in some measure your intentions; but, as I perceive the legislature of your state has noticed the necessity of a law for the relief of insolvents, I believe measures will be adopted by which you may obtain that relief you wish. I have desired Mr. Rosewell Welles will cause the lands of Tioga Point to be sold under Mr. Carroll's mortgage the 28. May¹³—on which day I shall be obliged to attend there to sell the lands in which you and I have had an equitable title. If I cannot reach Tioga I must request you or Harry will meet me at Wilkes-Barre * * * Harry I expected would have informed me what measures you had pursued resulting out of arrangements made by him and me *on his late visit here*. I request you will give me information on these several heads: I Has he possessed himself of the goods and chattels under the assignment? II Has he given a bond for the amount? III Does he possess the notes held in trust for the use of Mr. Carroll? IV When will the long looked for deed for the 1600 acres to Mr. Carroll be transmitted? I take it for granted it was redrawn and made absolute¹⁴ * * * I'll beg you not to fail sending it this spring; for, as it will be through Mr. Carroll that any future arrangements must be made, I would have you put everything on the best footing with him. Harry no doubt informed you that I thought it practicable to make a new transfer to you at a price to be agreed upon for the lands he wished to possess lower down on the Point. How comes on the adjustment of the Connecticut claims?"

Then, alluding evidently to some offer that had been made to purchase the whole property, he says:

"For although I expect to become the proprietor of those lands by paying for them, I should have no objection to having the bargain beyond the 1500 acres (Welles third) and Clark's and Pumpelly's cancelled, if I found it was the wish of all parties in preference to waiting the *uncertainty of my paying* for the lands as the Bonds mature.

"As you will have abundance of water in the Susquehanna, I hope you will descend the river with large cargoes. The Maryland Canal receives boats and last year I believe an ark passed through. Wheat I suppose will be 1½ dollars in Baltimore, though flour is only \$6.75 now, but expected higher.

¹³ According to a paper called "Exemplification Charles Carroll of Carrollton vs. Ricard Caton" this sale had been advertised first for November, 1802, then January, 1803, then June, and, finally, August, 1804. The delays are unaccounted for.

¹⁴ This indicates that Harry had carried to Baltimore a deed which was not satisfactory.

"It would give me sincere pleasure to see you relieved from your difficulties. Past errors give us lessons of experience for the future; most of us have errors to lament, but as long as the heart is correct, there is a consolation which even misfortune can not deprive us of * * * R. C."

It will be seen from this letter that Henry Welles, or "Harry," had formed some idea of making a purchase himself *previous to death of Elisha Matthewson*.

"Wilkes-Barre 27 May 1804.—To Henry Welles¹⁵—Dear Sir: I find you did not visit this place on your way home, and from the lateness of present day, have little hope of seeing you here. I shall leave to-morrow for Baltimore, as all my business will be closed in the morning. The title of Mr. Carroll to the Point, Mr. Rosewell Welles informs me, is perfectly good. I shall probably again possess it, unless it will bring its value (in to-morrow's sale) when I shall let it go. I however feel a strong desire to invest, as I wish to see you and your family established there on better footing than you have enjoyed. Should I be able to obtain the means for again purchasing the Point, I must get you and Mr. Prentice to dispose of lots for me under a standing per-centum, and I shall immediately have process issued to get possession of every part. I find the partition deed is not here. I request *you as my agent* will not fail to send it to me. Inclosed is a deed for the point for your father to execute. * * * On the subject of your father's seeking relief from oppressing circumstances, I am convinced it is necessary. The business can be done best in New York State. I hope no unmanly fears or timid pride will prevent its taking place. He ought to go to a lawyer at Newtown or Owego, without delay, each day increases the evil.¹⁶ I hope you have got his deed for the 1500 acres of land to Mr. Carroll, let it be executed without delay. The deed you held¹⁷ for part of the land can do you no service, as you knew at the time *it was sold to Mr. Carroll*. I mention this to put you on your guard, to save yourself *harmless*. But I suppose the purchase of the personal property will enable you to surrender the land you hold, and to pay Clark and Pumpelly. On no acct. apply any of the notes deposited in trust; for no act of Assembly, or Bankruptcy can release a person from a debt arising on a trust any more than it can from forgery. These notes I hope are in your hands, and I expect you have attended to my letter, of which inform me. Should I again get control over the Point, and a delay of time free of interest be entered into, you will I trust, get ahead—the Point is certain to be a great place, the three roads from Wilkes-Barre, Nescopeck and Sunbury to Philadelphia, will make a great summer trade at the Point which no other place can rival—*this be assured is certain as fate*. Your farm crops and then flour will take a gradual summer market at those towns mentioned when the price is high; in preference to a spring one with a long journey, arriving when a glut prevails.

Later. "Whilst I was writing foregoing I rec'd your father's letter of the 23 inst. I am inexpressibly astonished at its contents, but shall suppress the feelings an event so unexpected gives rise to. As he is determined to try all expedients I must meet him, and he will find when too late that not only his attempts will be frustrated, but the essential interests of his family much injured, which I much regret. My letter to your father yet leaves open the door for a friendly, and I may say an honest adjustment. I shall delay acting in a legal form until I hear from him taking (as my security that no advantage will be taken of this delay) *his, your and the honor of those who feel interested in the issue*. My letter to him is as fully expressed as I am capable of, and I recommend it to his and your perusal and serious reflection. RICHARD CATON."

It is to be regretted that these letters between Mr. Caton and Geo. Welles have not been found, especially as Mr. Caton resorted at once to the stringent measures suggested in above letter. It can hardly be

¹⁵ Henry Welles, already introduced, may now be said to enter on the scene as an active factor in affairs at Tioga Point for the ensuing thirty years.

¹⁶ This alludes to the advisability of using the law for insolvents.

¹⁷ This indicates that George Welles had deeded some portion of the point to Henry, or possibly made an assignment of all his property, but of this there is no other record.

due to poor postal facilities that the above letter did not reach Athens until August 2nd. In the meanwhile, May 28th, Tioga Point in toto was sold by Sheriff Dorrance to Robert Goodloe Harper (another son-in-law of Charles Carroll), for \$4,200, and a sheriff's deed executed to Harper same day. While legally this foreclosure and sale was made by Carroll, Caton arranged with Harper that if bids were not sufficiently high, it should be bid in for Caton, who ever after speaks of himself as the owner. There is no record that Harper ever deeded the tract to Carroll, as the deed was lost in some unaccountable way. The property stood in Carroll's name until January, 1813, when the appended warranty¹⁸ deed was given by Charles Carroll and Robert G. Harper to Richard Caton, recorded September 10, 1816, Bradford County Deed Book No. 2, page 346.

The purport of Mr. Caton's letter and its effect on George Welles may be learned from the following extracts; there appears to be a grave misunderstanding.

"Tioga, 7th August, 1804.—Richard Caton.—Sir: On the 2nd August the Postrider from Wilkes-Barre handed me your letter of the 27th May, with sundry deeds, &c. I could not reply to papers of such magnitude in one evening, but have improved the first next mail. This is the most difficult letter to answer I ever received. The more we wish to come to the point, the wider we seem to be apart. You say the 1500 acres of land (Welles third) are Mr. Carroll's, the notes are Mr. Carroll's, and that he could by legal method acquire both, and threaten to advertise in papers, forbidding any person to purchase the 1500 acres, &c., &c., and that my conduct (by your implications) is equal to forgery. It is the first time I ever had my Honesty *directly* impeached. * * *

"Now sir, I shall take extracts from your own writings to invalidate your assertions—if I know anything of the English language.

"1st, In the deed to Mr. Carroll drawn and directed by yourself for me to sign you say 'It is therefore understood and expressly declared; that of the lands herein conveyed by George Welles to Charles Carroll of Carrollton, fifteen hundred acres, if so required by George Welles, be conveyed to Josiah Lockhart—on ac't and in part pay of the before mentioned Bonds.'

¹⁸ "This Indenture, made this day of January, 1813, between Charles Carroll of Carrollton of Ann Arundel County in the State of Maryland, and Robert Goodloe Harper, of the City of Baltimore in the said State, on the one part, and Richard Caton of the said place, on the other part:—

"WHEREAS, the said Goodloe Harper, on or about the 28th day of May, 1804, did at a public sale held by the Sheriff of Luzerne County, purchase all the right, title, interest and estate in law or in equity of the said Richard Caton in and to the lands held by him lying and being at Tioga Point, in Luzerne County and State of Pennsylvania, which said lands were heretofore held by a certain Josiah Lockhart, and by him conveyed to the said Richard Caton and a certain George Welles and Ashbel Welles; and the said Robert Goodloe Harper did sometime thereafter sell, assign, transfer his right, title, interest and estate in and to the said lands to the said Charles Carroll of Carrollton, which land he undertakes (understands?) and believes have since been sold and transferred by the aforesaid Charles Carroll of Carrollton to the aforesaid Richard Caton; but, the said Charles Carroll of Carrollton, alleging that the said deed so made by the said Robert Goodloe Harper to him the said Charles Carroll of Carrollton is lost or mislaid, and wishing to secure to the said Richard Caton a good and sufficient title for the lands aforesaid, the said Robert Goodloe Harper and Charles Carroll of Carrollton have made and executed these presents:

"NOW THIS INDENTURE WITNESSETH:—That for and in consideration of the sum of one dollar in hand paid by the said Richard Caton to the said Charles Carroll of Carrollton and Robert Goodloe Harper, the receipt whereof they do hereby acknowledge, the said Charles Carroll of Carrollton and Robert Goodloe Harper have bargained and sold, assigned, set over and transferred, and by these presents do bargain and sell, assign, set over and transfer to him the said Richard Caton, all their right title interest and estate, in and to all that part or parcel of land lying and being on Tioga Point, in Luzerne County. Containing two-thirds part of that lot or tract of land heretofore conveyed by a certain Josiah Lockhart to the aforesaid Richard Caton, and a certain George Welles and Ashbel Welles aforesaid, by deed bearing date the 11th day of March 1798, and recorded in Luzerne County the 8th day of August 1798, as will more fully appear by reference being thereto had."

"Remark.

"This will do very well to go in the same paper with your advertisement, and your own letter can be produced to show that you consented to the relinquishment of the land not paid for.—I suppose that the 1500 acres was meant as in trust to Mr. Carroll, and that any man has an undoubted right to withdraw the trust at his option.

"2nd, as to the notes—In your letter of the 17 Sept 1802 to me you say 'The notes for sales of property deposited in your hands you will keep by you until the Bonds due Lockhart are settled—Should I not pay him in lots—you are then to apply all the notes in your hands, viz \$2041.62, as per ac^t below toward the extinguishment of that account.'

"Remark.

"*If default in trust is equal to forgery*, it certainly is my duty to keep them for the purpose directed.

"3rd, As to the eighty town lots—the deed is undoubtedly illegal because dated and executed long after your mortgage deed to Mr. Carroll was recorded, even if Mr. Lockhart had consented to have taken them—I should not have signed the deed, until Mr. Carroll had released the same. * * * The lots have been offered to Mr. Lockhart & refused. *The title is certainly not good.*

"It has been my wish ever since Henry was at Baltimore to settle our affairs. I then stated terms and offered everything I had, on condition that the Bonds to Lockhart were lifted. But every letter since has met with a different reception from what I expected. * * * You very well know Sir I never should have mortgaged to you my third of the point but from the full belief that you would pay Lockhart.' * * * You state that I owe Mr. Carroll \$21,000. If I owe him so much, I owe Lockhart nothing. When the suit is brought against me on the two bonds who will bring it? Mr. Carroll or Mr. Lockhart? Or when I cite my creditors to show cause &c., who is to appear? Mr. Carroll or Mr. Lockhart? I can not owe Mr. Carroll and Mr. Lockhart for one and the same debt, and it is entirely immaterial to Mr. Carroll whether I owe him 12 or 21000 dollars, as he cannot have more than he can have, and should we come to terms, I am as willing to deed the Point for \$7000, as \$9000., which ought to fetch me \$15000.—considering the instrumentality which brought me here and the miserable life I have lived since here. * * * Those notes it is not likely we should dispute about in case we can hold the 1500 acres for settlement with Lockhart. This land was designated for that purpose; to suppose that I would relinquish the only means which I possess to cancel that great debt, is certainly dissonant with your protestations of friendship for my family, and they can view it in no other light. * * * I stand acquitted in my own conscience, and believe I shall in the mind of every impartial man, *in holding the land to extinguish the debt to Lockhart.* * * * If Mr. C. will indemnify me from those bonds, he may have the debt to-morrow. * * * It would then stand thus, one third of Tioga Point—the notes except my part—Webb's debt—Clark's land—Distill house worth \$300., but not the distills or moveables therein, estimated at what you please, but would observe that my third as set out is good for \$12000. To quit the premises in the course of coming winter. I little expect you will agree to those propositions, but if you will take it into serious consideration I think you will not hesitate. I will not sell the land * * * until I write you unless I should sell it to Lockhart, and that is not to be expected.

"To what length you may persecute me I can not say—must leave that to the laws and humanity of my country.

"Remarks.

"As you have a sacred regard to instruments you undoubtedly delivered my acceptances to Mr. Carroll, and he by the same sacred regard to duty will keep them until you pay Mr. Lockhart, and will consider them as secured by my mortgage. * * * If you should (acting as you say you do) for Mr. Carroll think you are really Mr. Carroll, and that you were heretofore Mr. Caton, and if as Mr. Carroll you should see any inconsistencies in Mr. Caton—you have my Liberty to gently reprove him—but do it in a smooth honeyed style."

These copies are unsigned, but in George Welles' handwriting, and various drafts show that the letter was rewritten many times.

Concerning the sale Henry writes later:

"In 1804 Mr. Carroll foreclosed the mortgage, which proceeding, though legal and just sealed father's ruin. Being involved and having become incapable of transacting business for maintenance of his family, the property that had cost him a large sum gone, I at that time was the only one of the family old enough to provide maintenance. After looking about, I came to the resolution to apply to Mr. Carroll for a small spot out of my father's third, where I hoped to secure a home and maintain the family."

As has been seen, he was at Baltimore in the spring of 1804. Either then or later he began to consider how he could arrange to purchase the whole of his father's third, as proposed to him by Caton and Harper.¹⁹ Caton writes in *November, 1804*, that it would give him great pleasure to see Henry Welles proprietor of part of the Point, adding:

"The whole I would never consent to part with. I look upon it as the very best property I have an interest in, for, though it is not yet absolutely mine, it is in a train of being so. I agree with you as to the necessity of closing our accounts. Your father has taken a very untenable ground, * * * it is useless my writing to him. If by any means I can make you proprietor of your father's part of the point, it will afford me pleasure. But land I fear will be less agreeable to Mr. Carroll than a long credit payable in money, and should your father's share fall to me it would be less convenient paid in lands."

This alludes to a proposal of Henry Welles to exchange lands near Bath for the Point. Caton thinks these lands cannot be as valuable as Tioga Point, "which will draw settlers, and settlers will make a town even in present distracted state of affairs." Some proposition was evidently made about Lockhart's bond, to which Mr. Caton does not agree. To this letter Henry Welles answers as follows; December 25, 1804:

"Sir: In your favor of 23rd ult. in answer to my two letters respecting a purchase of a part of the point, I am sorry you think it uncertain whether land would be agreeable to receive in payment. It will not answer for us to become responsible for so much money as will be the price of 1/3. But this land is offered in exchange for shares in Susquehannah Turnpike and produce, and where contracts are made for it, the owner sells with release of Int. 3 yrs, * * * It makes a great difference from what it would be to engage cash to a person at a distance. As you expressed a wish for a description of the land, I will insert one. The Township is No. 1 in the first range of Phelps & Gorhams' purchase.

"This land was sold several years ago, but the purchasers failed in making payments and it has this summer reverted to the owner Mr. Pulteney of London. If you should conclude to receive it * * * I have little doubt but I can get assistance to go thro' with the contract. I should wish to get a longer time than I mentioned to acquire the title, say, perhaps, 6 mo. from next spring.

¹⁹ Memorandum by Henry Welles, "23 Oct. 1804 Wrote to Mr. Caton Mentioned that we must make arrangements for removal stated situation of the farm, plagued with cattle & Tioga Point requires constant vigilance to keep in repair the only way to render valuable to get possession of *all* the Point—rather unsafe to drive out the Yankees now, proposed nevertheless to buy—offered 10000 acres land conditionally, to have 6 months to form company, if not liberty to give it up, described land offered mentioned that my Father would deed his part for 7 or even 5000 dollars, if desired. Mr Caton gave too much for Tioga Point—spoke of its depreciated state, compared it to Bath &c. Offered that if he chose I would buy Fathers 1/3 mentioned he'd never get more for Tioga Point Requested an answer soon, determined to move soon. * * *" This memorandum, found after writing chapter, shows that Henry Welles' first idea was to form a stock company to purchase the Point, also that he thought the advantages of Bath were superior.

"The tract contains 24,000 or 25,000 acres of land, and I would engage to select the best 4,000 acres in a square body which this contains.

"These are the only offers I can make, and considering the distracted state of things at the Point, it is a great price indeed. You will much oblige me, Sir, by losing no time in forwarding your specific answer to this proposition.

"P. S. I hope to go to Conn't in the Winter and Balt'o in the Spring."

The following letter shows Henry Welles still in great perplexity, and records a death which has generally been said *to have preceded* Henry Welles' proposition for Point purchase, i. e., Elisha Matthewson's:

"Apr. 24, 1805.—R. Caton—Sir: A few days since I received your favor of 14th Jan. and 10th Feb'y in answer to the proposals I made last November for purchasing a part of the Point. (Note, the above mentioned Caton letters are missing.)

"The great delay that has taken place in the business, joined to several other circumstances that have arisen will compel me to abandon the design. One or two persons who were willing to join me last fall have made different arrangements during the winter so that I have no one who will join me in the business. I was likewise prevented going to Conn't to get associates. Another reason remains, in itself sufficient, if there were no other to bar all progress. The owners of the New York land which I had in view, hold it higher than I was informed * * * so much so as to take away the inducement to adventure.

"We have had a very high flood here this spring which has done the point great damage as to the soil and fences.

"We have lost several neighbors lately of Consumption, among whom are Elisha Matthewson and A. Decker.—H. WELLES."

Evidently the proposed exchange was satisfactorily arranged, as in July, 1805, Caton and Harper offered to contract one-third of the Point for 4,000 acres of land near Bath. The entire correspondence concerning this tract is still preserved. The letters show that the proposition to the agent of the Pulteney estate was first made early in September, 1804, by both George and Henry Welles; the terms of payment, the same as to all purchasers in Phelps and Gorham purchase, were seven years credit, first three without interest; price one dollar per acre, in four annual payments. It was, however, made in six payments:

"Feb. 26, 1806.—Mr. R. Caton: I have at length effected a purchase of the 4,000 acres of land conditionally. I have little doubt but the land will suit, and that I can go thro' with the payments provided I can be accommodated by Mr. Carroll in the following manner: As I must sell some of the land upon the Point to enable me to meet the installments, I want Mr. Carroll should deed certain small lots to me or persons who buy of me, on my satisfying him that all the money received therefor is applied to paying for the 4,000 acres * * * I must pay 1/8 of the purchase money on executing the contract. Unless it can be arranged in that way, it will be impossible to ever get thro'. In addition to the pasture, which I want Mr. Paine to have, I wish to sell the store and lot on which it stands. That is all the property which there is any chance of selling near its value.

"Should the contract be performed it is my expectation that Mr. Carroll will give a Bond for a full and complete warrantee deed, and the deed to be made when I am able to give him a good title to the 4,000 acres, free from all incumbrances. There is scarcely a person in the few to whom I mentioned the conditions of the purchase, but says the 4,000 acres worth much the most money. I wish most earnestly that you would bring a suit of ejectment against some of the possessors of your property here. If I buy here I don't know what to do with those on the land. They ask as much as a good title is worth and some of them won't sell at all. * * *

"In case this purchase takes place, I think my Father will settle amicably, etc. Yours, etc. "H. WELLES."

A few weeks later Henry writes dubiously again, as Col. Troup has failed to receive powers from Sir William Pulteney's heirs. In this letter some insight is gained as to how this enterprising young man proposed to obtain funds for first payment. He had purchased 500 acres of land in New York state at a nominal price (probably paid in pork and whisky) and now had a chance to sell 400 acres of it at \$4 per acre. He was uncertain about both this sale and that of some land on the Point, and adds in a despondent mood:

"The credit of the point is so low as a place of business that no one seems disposed to adventure in it, & as a farm is quite too high so I see small chance of going on with the trade for the 1/3. I am weary of grasping objects above my ability to attain, the affair appears hopeless. I feel quite unhappy while thinking what a childish business it is likely to prove."

'Tis a curious thing (oft seen since), this love for the valley, shown in reaching out in every direction to dabble in lands which would at last bring him his heart's desire, even though it was a poor location! But things soon came his way; Col. Troup received his commission, the 500 acres in the Beers settlement were sold, Caton and Carroll approved, and all went merry as a marriage bell. Yea, verily, for it was no doubt on one of these trips to view land, or to obtain the assistance of James Pumpelly at Owego, that he first saw Miss Phoebe Patrick, according to Mrs. Perkins' story, although Mrs. Ann Paine, in a letter at hand, says that the young lady was visiting at her home in Athens when Henry caught his first glimpse of her.

This letter and answer give a very correct idea of the proposed transaction, Welles having previously complied with Caton's request and taken a surveyor to view the land and give certificate. The tract eventually bore the name of Caton:

"Sept. 7, 1806.—Mr. Caton—Dear Sir:—I received your letter of the 4th of August, stating your acceptance of the 4,000 acres of land. Since that time I have closed the contract with Col. Troup, * * * In a few days we shall exchange writings and I shall receive from him a bond or contract drawn in his usual form, which I will transfer to Mr. Carroll in the manner pointed out in your letter. I get a credit for the remaining purchase money of five yearly payments and have every reason to suppose I can meet them as they become due. However, lest I should not, I shall wish Mr. Carroll to allow me a year or two in addition that I may be sure. Col. Troup will be lenient and accommodating, and having no doubt but you and Mr. Carroll will be also, I feel confident of succeeding. In the meantime you will be safe on all sides for the improvements alone which I am about making on the point will pay the interest of the money. The sale you now make to me is certainly a good one—the 4,000 acres of land, if I am a judge combine pretty much every advantage that any tract does any where about here. It is from 5 to 8 miles from the river, the soil is such as to admit of a general settlement, and well watered and timbered. There will be a road cut through the township soon, and settlers are going in fast. Mr. Haight tells me he has refused a dozen applicants for farms there since my application, lest there should be clashing of lines. Now I have made the selection, the difficulty is over, and he will sell the lands fast. I have had some considerable trouble in removing a location which was made in center of the 4,000 acres, but have effected it, and now you will have it in a regular square form. * * *

"Now, Mr. Caton, it is very inconvenient, indeed, for me to leave home on so long a journey as to Maryland. It is both expensive and injurious to my business, * * * and I want, if possible, our affairs arranged to be settled as nigh home as Wilkes-Barre. Mr. Rosewell Welles, would be a proper person to make the exchanges of paper between us. If it can be done in that way, we

will fix on the preliminaries, and but a few days delay need to take place. If I were not uncommonly engaged with taking off and putting in crops, and keeping the distillery agoing, I would go to Maryland * * * but it would hurt me a good deal. I have already rode upwards of 1500 miles on account of this purchase. The papers relating to it are: A deed from my Father of his right to the Point; Col. Troups Bond assigned by me. On your part merely the Bond of Conveyance from Mr. Carroll to me. I expect the Bond to be drawn with a full warranty against all persons except the Yankees.

"As this is the most proper time to close the accounts between your estate and my Father's, I will state his terms, which he says are the best he can possibly offer. * * * He will give up 1200 acres of the N. York land, and all the notes, except Saltmarsh's, Hopkins' and Irwin's; indeed the 80 town lots, and give a quit claim to all his right and title to the point. In return for which he expects a general release from all claimants * * * The small amount of property which will remain in his hands will do little more than to pay the debt due to the estate of his sister,* and which must be paid, while Lockhart's claim must go unsatisfied. Should an adjustment take place between you and him the papers may be exchanged in the way that I mentioned above, or if they are too bulky, a settlement may be omitted until next spring, when I shall probably be in Baltimore. I propose taking a few mules to Maryland if they bring a good price. I will thank you to inform me what pretty good ones of two or three years old would fetch.

"Hoping to hear from you soon, Sir, I remain yours with Sentiments of respect and esteem,

"HENRY WELLES."

"P. S. I want the favour of you to make an exchange with me of about 8 acres of land which if you consent to will induce us upon the whole to building a dwelling house in the village. The spot which I want is the remaining part of what we call the still house lot. I should be glad to get it from you in lieu of some of the 1/3 next to the town which is good building ground as the other and eventually will be as valuable. My reason for wishing to make the exchange is that our large barn and distillery are directly back of the 8 acres, and there is no suitable building ground on our part of the lot. I am willing to give as much more land out of the 1/3 as is fully sufficient to make you good in the exchange, and I really hope it may not be disagreeable for you to do it. If I can't build there the barn and distill house will be in a manner lost to me. I am willing to give two acres for one. I wonder we don't hear any thing of a process on Mrs. Matthewson. Have purchased out Decker and paid him \$500 in full."

The still house built in 1799 was on the river bank near the end of present Harris Street. The lots desired included the property lying just north of Chemung Street as far as present line of Mrs. L. M. Park (1907).

"Baltimore 28 Sept 1806.—To Henry Welles—Dear Sir: Your letter of 7 inst. rec'd. Glad to learn you have concluded contract with Col. Troup. * * * The bargain I have no doubt will prove a beneficial one to you, and I sincerely hope it will. I see no necessity of your coming to Maryland to complete exchange of titles with Mr. Carroll. If you will obtain your father's deed, the one third fully and completely transferred to Mr. Carroll, and assign the contract rec'd from Troup, forward them to Mr. Rosewell Welles, and desire him to hold for the use of Mr. Carroll, to be surrendered to him or his order on receiving his bond for conveyance of said 1/3 Point; I will immediately, on being informed by you of date of deed, forward to you through Mr. Welles or Geo. Griffin, Mr. Carroll's bond, to be given to you on receipt of father's deed &c. Thus you will save the trouble and expense of a journey. * * * I cannot say anything about exchange you propose until I see the plot; you will hear in a post or two. I cannot tell why E. M. has not been sued. *Mr. Harper* employed Mr. Hopkinson for this purpose in preference to young Ingersoll."

* Jerusha Welles had loaned money for purchase of New York lands mentioned, which were in the Beers purchase near Spencer, N. Y.

It may be observed that in the later suits it was claimed that Henry Welles instituted this suit and employed Mr. Hopkinson, easily disproved by the foregoing letter.

Referring at length to proposals of George Welles for settlement, he offers to have settlement so made by Carroll that his (Caton's) creditors can make no interference, and they were many, as will appear later. January, 1807, he writes again, saying he has sent Carroll's bond to Welles and Griffin at Wilkes-Barré, mentioning:

"It warrants and defends you against all persons claiming by from or under Mr. Carroll or myself, my assigns, creditors or others, etc.—R. C."

Let us reiterate the legal transactions by which the Welles claim to Tioga Point was established under Pennsylvania:

I. The Lottery Warrant issued by Pennsylvania to Josiah Lockhart.

II. Lockhart's Deed to Richard Caton, George Welles and Ashbel Welles.

III. Ashbel Welles' deed of undivided third to Richard Caton.

IV. George Welles' mortgage of undivided third to Richard Caton.

V. Richard Caton's mortgage of his two-thirds to Charles Carroll.

VI. Caton's assignment of G. Welles' mortgage to Carroll.

VII. Partition deed between Richard Caton and George Welles.

VIII. Foreclosure of Caton's mortgage to Carroll.

IX. G. Welles' deed of his one-third to Carroll.

X. Henry Welles' bond for 4,000 acres Pulteney lands to R. Troup.

XI. Carroll's *bond* for one-third of the Point to Henry Welles.

XII. Carroll's *deed* of same third to Robert Troup.

XIII. Robert Troup's deed of said third of Point to Henry Welles.

The date of the original patent is 1785, of the last deed 1814.

There should also be a deed from R. G. Harper to Charles Carroll, which was lost in the mails and eventually called the lost deed. A letter to Henry Welles, in 1814, from the well-known lawyer Garrick Mallery²⁰ cites such a deed, but adds "it is not acknowledged or proven in any manner." This and the Warranty deed from Carroll and Harper established Caton's title, except against the Connecticut settlers.

The whole transaction was a very complicated affair; and while it came to a successful termination, owing to Henry Welles' energy and executive ability; it shows that, far from being wealthy and aggressive, he and his family had as hard a struggle to maintain their footing on Tioga Point as had their Connecticut neighbors. The consummation of his endeavors was delayed. The legal process being somewhat as follows: Henry Welles made a contract with Colonel Troup, agent, for aforementioned Pulteney lands. When this was

²⁰ Mr. Mallery had his own trials in obtaining documents from Mr. Caton, as in connection with a proposed ejectment suit he writes: "There is still some defect in the chain of title to Tioga Point, which is in my hands, and God only knows whether we shall be able to obtain the papers from Mr. Caton * * * If you can assist me in getting them I shall be obliged, for I despair of ever getting them, from Mr. Caton."

closed George Welles executed the long delayed deed for his third of the Point to Charles Carroll, dower relinquished by his wife (date 1804). Thereupon Carroll gave a bond to Henry Welles, agreeing to deed his father's third of the Point to him on fulfillment of his contract with Troup. Henry Welles assigned contract with Troup to Carroll, Caton dictating terms, and asking Welles to "*follow verbatim.*" Caton at this time once more mentions his air castles, saying:

"Is there any likelihood of a county town being made of the Point, or will it be established elsewhere? I think it lies in your power to obtain the seat of Government if proper means are used. Interest is the leading principle with modern politicians. I would give several lots to obtain this interest. * * * As I wish not to go to law with your father, since we have thus far progressed with unanimity, obtain from him conditions he will allow for final close."

The annexed letters²¹ show the manner in which the business was brought to a close, the extent and value of Henry Welles' possessions

²¹ March 1809.—S. S. Haight, Agt. Col. Troup—Dear Sir: I received your favour and according to your direction will describe the property which I wish to put into your hands as security for the balance due on the 4,000 acres. No. 1 is the tongue of land lying below the village and between the two rivers and containing 350 acres of land and upwards of best flats, and the upland good valuable land 250 acres of it under good fences and cultivation. 2 houses, 1 barn, corn house, etc. on it. No. 2. A town lot and an elegant two story painted store also three valuable town lots on which we are building a dwelling house: also 15 other town lots on which are two barns, a valuable distillery with out houses—the lots in clover.

This property is really and intrinsically worth \$9,000 or \$10,000, three times the amount due from me on the contract. The title will come from C. Carroll of Carrollton, and is perfect. * * * My anxious wish is to prevail on Col. Troup to make to Mr. Carroll a deed for the 4,000 acres in fee and Mr. Carroll would forward to you a deed for the Point as above described executed to me and I would come to Bath and execute a mortgage to Troup which should go on to be recorded with the deed. I am very anxious to get it effected; it would simplify the business and place me in a much safer situation. The present alarming aspect of our national affairs is certainly a great inducement to wish this arrangement to take place. If any thing should occur that the Government would register the property of foreigners, it is ten to one but that I should lose it. I give you the most solemn assurance that you can request Col. Troup to oblige me with the utmost safety and propriety. * * * The security is perfect and ample. Each day adds to its value as we are continually improving it. Every exertion will be made to pay all the money, and I pledge myself that as great if not greater efforts will be made to meet the payments than in its present situation and that there will never be any necessity for resorting to legal coercion in the case. Now, Sir, you will oblige me much if you will induce Col. Troup to accommodate me and let me hear from you as speedily as possible. I am, Sir, with respect and esteem, HENRY WELLES.

Geneva, N. Y., 23 Oct. 1809.—To Charles Carroll of Carrollton—Sir: Mr. Welles of Tioga Point shewed me a few days ago your contract with him whereby you have bound yourself to convey to him certain lands and village lots at the point upon his procuring a conveyance to you of the lands he purchased of Sir James Pulteney and the Countess of Bath under my agency.

The present clouded aspect of our public affairs has filled Mr. Welles' mind with apprehensions that a war will take place between our country and Great Britain and that in this event all British property within our territory will be confiscated, and it may be difficult for him to obtain a deed. Without entering into any speculations on the probability or the improbability of War and the consequences of it, I feel every disposition from the worth of Mr. Welles' character, to oblige him where I can do it consistently with a due execution of the trust reposed in me.

This disposition led me to propose to him the following arrangement which he has consented to, provided it meets with your approbation.

1st. The lands and village lots at the point to be conveyed by you to me.

2nd. The lands purchased by Mr. Welles under my agency, to be conveyed by me as Agent to the Pulteney estate to you.

3rd. Upon the receipt of your deed to me I am to convey a quit claim deed of the lands and village lots at the Point to Mr. Welles and this deed is to be lodged with a mutual friend as an escrow to be delivered to Mr. Welles when all the purchase money due from Mr. Welles to my principals is paid.

By this arrangement it appears to me that Mr. Welles's apprehensions of difficulty from the confiscation of British property will be removed, and that no injury will be done to you or my principals.

Since my contract with Mr. Welles the Countess of Bath has died and as she has died without a will as to all her real estate, that part of it which she left in this state has descended to her cousin Sir John Lorriether Johnstone as the heir at law. Sir James Pulteney, the husband of the Countess has survived her, but by his marriage contract, Sir James precluded himself from all right to his wife's real Estate, both what she then owned and what she might afterwards acquire and in addition to this as there never was any issue of the marriage Sir James has no interest in the estate, as tenant by the (illegible). The Countess of Bath acquired the estate by descent from her father, the late Sir Wm. Pulteney and as his only child

on the Point, and also an interesting account both of the Pulteney estate and of public affairs. The payments to Troup were made in "*cash, whisky, pork and farm produce*," and in 1811 Henry Welles sent his younger brother to Baltimore to obtain Carroll's deed to Troup. While this was secured, it was three years before Troup executed the deed to Henry Welles, who thereby saw consummated his heart's desire, and after a struggle of ten years became the owner of his father's original one-third of the Indian Arrow, having displayed throughout a wonderful sincerity of purpose to retrieve the family's fallen fortunes and provide a home for them. Sadly enough, the father did not live to see the consummation, although he had, for several years, occupied the house built by himself with Henry's assistance in 1809. This



GEORGE WELLES' HOUSE

quaint old house was demolished in 1896 to make room for a modern residence (R. F. Page's). It was strange that it had so long withstood the ravages of time, as the walls had little studding and no siding, "clapboards nailed right on the plaster," said one when it was taken down. Within, the two main rooms, with their panelled wainscoting, great fireplaces and old brass door fittings must have made a fine showing in its early days, when friends, young and old, crowded around the roaring fires. Many is the tale we have heard of life within those walls. It was the home of Henry Welles and his family until 1823, then knew various tenants until 1833, when it became the home of Susan, daughter of Henry Welles, soon after her marriage to the late Edward H. Perkins, and it was the birthplace of her children. Thus it was a Welles homestead for four generations.

and heiress at law. I state these facts that I may be the better able to say, Sir J. L. Johnstone is now the legal owner of the Pulteney estate and that holding a regular and full power of Att'y from him, I am in a situation to convey to you by a sufficient Deed a perfect and unencumbered title to the lands described in my contract with Mr. W.

I shall have this in ten or twelve days upon my return to Albany where I at present reside, and where I hope to be favoured with your answer as soon as your convenience will permit. With great respect I am Sir, ROBERT TROUP.

In 1813 a peculiar epidemic, known only from letters, called the "cold fever," swept over the valley and claimed among its many victims George Welles. However, he had lived long enough, not only to appreciate the worth of his eldest son, but to know that by the various enactments of Pennsylvania Lockhart's claim had passed. Lockhart himself was dead, and the bonds had not to be paid.

In dealing with Richard Caton, unquestionably the great distance between them, and the lack of mail facilities, made transaction of business extremely tedious, and gave rise to many of the misunderstandings alluded to in foregoing letters. Richard Caton, though a man of great ability, surely was visionary as to the possibilities of the Susquehanna and Tioga Point. Then, too, his life, in the midst of a large family circle with great social privileges, was such that business matters were often neglected, causing delays most vexatious to the plodding people at Tioga Point who craved the social life, and were worthy of it, yet had it not. The brave young man, who assumed all the burdens of obtaining the sound Pennsylvania title, excites sympathy, and surely seems to have deserved no other adversities. But, through all these vania, is the land controversy growing out of the Connecticut Claim," rising and falling, like mercury in a thermometer, as influenced by the temperature of what has been somewhat erroneously called "enabling and corrective legislation of Pennsylvania." From 1787 to 1810 every Act was dissected or disdained by either the Connecticut or the Pennsylvania Claimants. Every settler must be quieted. "Quieting acts," indeed! The Legislature was like a great ball, tossed rapidly back and forth between the Pennsylvania landholders, fierce for gain, and the Yankee and Pennamite settlers, longing for peaceful homes. Strange that long ago the full history of these controversies was not carefully written, viewed from all points; for, as Mr. Craft has well said, "the key note to the history of the North Branch Valley, lying in Pennsylvania, is the land controversy growing out of the Connecticut Claim." As concerns Wyoming proper, it reaches consecutive and full narration in Harvey's forthcoming "History of Wilkes-Barré." Yet, though Wyoming historians have been many, and the name "Wyoming" has generally seemed to include the North Branch Valley; *as yet no attention has ever been given to the local controversies in the upper Susquehanna townships.* No mention ever has been made of the controversy between the Welles and Matthewson families; said to have been "the most important case in regard to land titles ever tried in the courts of Pennsylvania;" interesting for its special legislation, and the special pleading it evoked, as well as for the material issues at stake. At its close the newspapers of the day spoke of it as "a long and painful controversy, that had been for many years a heavy expense to the state." Much general history of the Point has here to be put over to a future chapter, that the history of the Pennsylvania title and the litigation that ensued may be clearly given.

It will be remembered that in the allotment of Athens, as was the custom, the lots in different divisions were so assigned as to insure even distribution of the most eligible, which in this grant were generally

acknowledged to be the long cleared and cultivated Indian meadows on lower part of the Point. The best of these lay along the Chemung river, as shown in map, Chap. XIV. Elisha Matthewson and Elisha Satterlee drew or chose contiguous lots on the Point, and also along the east bank of Susquehanna. It was very soon agreed that each should cultivate for the other the lots on same side of the river as their respective homes.

Elisha Matthewson had lots Nos. 1, 2, 6, 11, 12, 16, 17, 24, 29 and 30. He never purchased the whole farm, as has been said. Probably, as these lots lay in both the first and second grant of Ulster, he thought his settlement would come under the terms of the Trenton decree. At any rate, he was steadfast in his faith in the Connecticut Claim, and repeatedly declined George Welles' offers to buy. Had these lots been contiguous, his refusal would not have been such an annoyance; but, as may be seen by the map, they were intermingled with those held by George Welles, and later by his son. The frequent freshets prevented maintenance of fences, so that it was practically impossible to preserve boundary lines. Ejectment was early considered by Caton and Welles, probably deferred both because so few persisted in refusal, and because the Pennsylvania claimant was not regarded with favor. Old letters show that there was even a prejudice against George Welles because he was college bred and reputed a man of means, his Connecticut origin counting as naught, or perhaps making him more odious.

Henry Welles having decided to purchase some part of the property, made his propositions to Richard Caton, as has been seen, *one year* before Elisha Matthewson's death, a fact that seems to have been curiously overlooked in his defense. Mr. Matthewson left his property in trust to his wife, for use of herself and six children; her brother, Dr. Elias Satterlee, being appointed co-executor.

Elizabeth Satterlee Matthewson was a strong character and proved abundantly able to defend her children's rights.

This possession and attitude of the Matthewson's naturally was a source of annoyance to Henry Welles when persuaded by Mr. Caton to purchase his father's third, rather than some of Caton's two-thirds; therefore, in August, 1806, according to Caton's letters, Mr. Harper employed Mr. Hopkinson, "a Philadelphia lawyer of splendid talents and great industry," to commence a suit of ejectment against Mrs. Matthewson. This may be called the first step in the bitter controversy of twenty years duration.

For several months Mr. Caton continued to allude to Hopkinson's inexplicable delay, and in December, 1806, Henry Welles wrote:

"I wish to call your attention once more to the subject of ejectment. You know that we arranged that Mrs. Matthewson should be sued first; under that expectation, and vexed at the injuries & inconveniences we are continually receiving, I threatened her, Jonathan Harris, & others with suits in the spring and summer, & month after month passed on without a step being taken—this gives them courage, and now they say we dare not sue them. An unpleasant situation,—in addition they are exhausting the lots they occupy and rob us of a great part of the feed. Now Mr. Caton I am apprehensive from the delay that there is some objection or unwillingness on your mind or Mr. Carroll's, if this

should be the case I will feel much obliged to you to inform me that I may no more render myself ridiculous with empty threats. I should be glad to have Jonathan Harris²² sued at same time with Mrs. M., provided a suit can be brought by Mr. Carroll on our third as Harris occupies none but which is included in that part."

He continues to suggest how writs might be served, etc., to avoid expense.

Mr. Caton's letters show Welles' fancies unfounded, but the delay continued, doubtless from the lawyer's hesitancy, although again asked in January, 1807, to attend to it. At this time Caton, having inquired if Welles would pay one-third of the costs, received this reply:

"I am willing to pay $\frac{2}{3}$ s of expense attending suit against Mrs. M. though the greater part of her possessions, say $\frac{2}{3}$ are on your lands, but this suit will be in a great measure decisive; it will in my opinion if the result is favorable to us (as I suppose it must be) put an end to all opposition. I have pretty much given up all hopes of the Point becoming a County town—and indeed of a new county being soon laid off, there are as many views & interests as there are farms, every man wanting the Court house between his Barn & house, and there is such disagreement about the outlines of the County as will prevent the Assembly from acting upon it untill the inhabitants can agree better among themselves, * * * it is probable Wysock will be the spot for the court house eventually." He also makes many inquiries concerning windmills, and mentions that he and his father want to build a snug house in the village, and want a little more land to accommodate them."

The Caton letters at this period prove that Henry Welles was not guilty of the charge (brought against him later) that he instituted the suit himself, without sanction of Mr. Carroll or agents. He did, however, become desperate at continued delay, and visited Philadelphia July, 1807, as shown in a very lengthy letter to Mr. Caton, extracts from which are here given as interesting, if not all bearing on the case in view:

"I have just returned from Philadelphia * * * Mr. Hopkinson says that the title to land in question must be fully in Plaintiff's possession at *time of commencing the action*. Now as the writ is drawn in name of Mr. Carroll, and you bid off the two-thirds in the name of Mr. Harper, I am apprehensive, * * * You know much better than I what is requisite. It will be well to place the title papers in Mr. Hopkinson's hands seasonably; court sits in October * * * I have not the least fear of the issue if the cause is attended to. Harris's possession was not sufficiently valuable to admit action in District court, and I have concluded to push the action instituted against him by my father three years ago. I must look to you for necessary papers, the Patent to Lockhart and the various deeds. * * *

The allusions to Jonathan Harris' claim show that he had evidently resisted the Pennsylvania claim as stubbornly as Elisha Matthewson. Harris built a house on one of the Point lots soon after his arrival in the valley in 1789, a well-attested fact, although it is generally said he first settled near the State line.

There was a severe freshet that year, and all the extra time was employed in replacing fences, but they were in great need of a windmill. Welles therefore asks Mr. Caton, if possible, to send him a reliable workman to erect the mill, saying:

"Getting grinding in the manner we do now is not only a trouble and expense, but the losses &c. from *roguish millers* are considerable. I am willing

²² Jonathan Harris relinquished his right to No. 27 in 1808 for \$75, duly recorded.

to pay a reliable millwright such wages as will compensate for coming such a distance; we have three very unruly mules which we should be glad to part with, & if the workman were to walk up here we would furnish him with a good one to ride back upon. Now Mr. Caton if you assist me in this and send a good workman you will confer a great favor and we will send you a very likely 2 year old Mule which you will please to accept towards the trouble you will have in the affair, we will send it by the millwright."

Surely, unruly mules are most unusual returns for favors. Mr. Caton must have been gratified! August 3, Welles acknowledges receipt of the Patent by Mr. Sedgwick.²³ This is the Patent now in possession of heirs of E. Herrick, Jr. It should be in the George Welles case in Tioga Point Museum. At this time Henry Welles reports difficulties between Mrs. Matthewson and her brother, Elisha Satterlee, concerning the lots exchanged in use, beforementioned. He fears that Satterlee will obtain possession, rendering another suit necessary, and concludes to serve the writ, hoping title has now been vested in Mr. Carroll. Accordingly the writ was served. What consternation it caused!

According to Col. John Franklin's deposition (some years later), Mrs. Matthewson at once carried to him "a copy of the writ served and returnable to the Circuit Court of the U. S. to be held in Philadelphia."

He offered to engage an attorney for her at \$10, but she replied she was too poor to pay the fee. She then appealed to her brother, Elisha Satterlee, saying that she would remain quiet if some of the leading Connecticut men would defend the suit and get the general question tried; that is, to put the Connecticut title to the test. Otherwise, she said, she "*must settle with Mr. Carroll as best she could.*" Franklin and Satterlee did not respond to her appeal, perhaps dared not. But she set up no defense, and the case was temporarily suspended, and soon after affairs took a new turn.

A new actor here enters on the scene—Thomas Overton,²⁴ an Englishman residing at Wilkes-Barré, who had become the agent of Joseph Wharton, of Philadelphia. (Many of the original claims under Pennsylvania east of the rivers had passed to Wharton.) Luzerne County being too distant from the lands in charge, Mr. Overton decided to establish himself at Tioga Point.

The following letter introduces him:

"Nov. 30, 1807.—Mr. Caton—Sir:—I wrote you several weeks ago, by the particular desire of Mr. Miller relative to his lot, and mentioned that I would write again soon. I have since been so busy at corn harvest as not to have time. The most important and I think agreeable news I have to communicate is, that

²³ This must have been Stephen Sedgwick, the lawyer, who was for a time a resident at Newtown, a man of keen intellect and brilliant intellectual powers, the progenitor of the present distinguished family of his name. According to Henry Welles' letters he also lived at Athens, and may be of the same family, who intermarried with family of Ashbel Welles.

²⁴ Thomas Overton was from Lancashire, and judging from the meagre family records, could not have been long in this country, as his second son was born in England in 1795. His wife's name was — Bleasdale; they had five sons, of whom Edward and William H. were well known in this section; Edward as the eminent lawyer of Towanda and William H. as a citizen of Tioga Point, engaged in various activities. Thomas Overton lived a few years at Tioga Point, then purchased the Solomon Tracy place in Ulster, where he lived and died. (Now Mather.) He was agent for various land tracts on both sides of the river; also kept a famous public house, the rendezvous of the militia. Very many of his descendants have been residents of Bradford County and Wilkes-Barré. As a Pennsylvania land agent Mr. Overton met with all the antagonism and criticism that was rife at that time.

we have settled with Mrs. Matthewson on the subject of the suit against her. The circumstances attending it were such as made a delay impracticable. Thos. Overton was at that time contracting with her for the House and Lot on which she lives provided she could make a Penn'a Title, and a good neighbor was an additional inducement, to settle with her amicably. The terms are, she gives up all her possessions on the Lockhart purchase for the Penn'a title for the house and lot where she lives (the Red Tavern), and we pay the costs of the suit. These terms we think are very good for us, as well as her, for I am sure you would not wish to turn her out of her house when she did not set up any defence, and for my part I should have felt disagreeable to have pushed even at the end of an Execution to any better terms. Under these impressions we ventured to act for you and I hope it will meet with your approbation. We have given a Bond for Mr. Carroll's Deed, and now have peaceable possession of all the lands, except those that have winter crops on, and those are to be divided up next summer. Mr. Overton is coming to this place to reside with his family, and intends opening a land office. He has extensive agencies, and seems to make many advantageous sales. I have never until lately been able to say that I thought the dispute in this county was near a termination, but now I really think it is.

"With regard to my Father's accounts with you, he says it is, (and I know it to be so), almost impossible to pay you anything more than 1200 acres of the New York land, I to retain Saltmarsh's, Hopkins' and Irwin's notes. * * a demand against Irwin would be worth nothing. Of Hopkins, we have nothing, *except Physick*, and of Saltmarsh, but a small part. The small amount of property which would be possessed by my Father, after delivering up the 1200 acres, and the remaining notes would not pay what remains due to the estate of his sister Jerusha Welles and the expenses attending his insolvency which must now shortly take place. Out of that scanty pittance, however, he will add two hundred dollars as compensation for rent up to the time of settlement. If you could know our circumstances exactly. Mr. Caton, you would find that it would take everything that belongs to my Father that could be asked short of general delivery. I have not had any of his property towards paying for the Point. What I have paid all arose from my own resources, and our accounts have been kept sufficiently separate to do entire justice to his creditors.

"I hope you will think, as I really do, that it is best to close on those terms * * * I suppose you do not choose to make the exchange I have mentioned, of land on the Point. However, Spring will soon arrive, when I expect to have the honor of seeing you. I will thank you for a letter soon. H. W."

In regard to this settlement with Mrs. Matthewson there are notes of Henry Welles, saying that Dr. Elias Satterlee, Thomas Overton and David Paine called on his father *and made the first proposition*. Everything now seemed very serene. Henry Welles looked forward to farming in comfort, and built a corn house at once on one of the lots.

Shortly after he writes again to Caton :

"Sir : It would be very agreeable to me if you would get deed to Mrs. Mathewson executed by Mr. Carroll and sent on * * * I am the more anxious as great delays seem to arise in affecting any thing where there is such distance. * * * I am sorry to say the prospect of the point coming under the seventeen town act is rather dull and uncertain. I am so perfectly convinced of its being to our interest as to wish anxiously for it ; even if you were desirous of repurchasing any part you would get it at a price little higher than land of an equal quality any where about the neighborhood, consequently at a great discount from the Lockhart price. The supplement to the Act provides a compensation by the verdict of the jury to the Penn'a claimant up to the full value of lands and improvements. Our situation, however, would be still better as Lockhart would unquestionably have to refund, principal, int. etc."

At the time of the transaction with Overton a deed of the Point lots to Henry Welles from Mrs. Matthewson and Elias Satterlee was

drawn, and a bond was given by George and Henry Welles, agreeing to procure Pennsylvania title for Overton. These two documents²⁵ were placed in the hands of David Paine, who, though clerk of the Susquehanna Company, was friendly to both Welles and Matthewson. Attached to these papers still is Paine's deposition that he delivered deed when fully executed, although later it was claimed that the conditions of delivery had not been fulfilled when Paine relinquished said deed to Henry Welles.

Matters now appeared very placid, but it was only the calm preceding a great storm. Naturally, Mrs. Matthewson knew she had made a very poor bargain, relinquishing the 100 acres, and getting only the price of house and lot. But just at that time the Connecticut claim had little showing. A new factor arriving on the scene quickly changed opinions.

Dr. Robert H. Rose, agent for certain Pennsylvania landholders in Bradford County, came during the winter of 1807 to open a land office at Tioga Point. He was not a stranger, having been active all through the valley in 1803 and 1804 as an agent acting under Judge Cooper, commissioner. At this second coming he was special agent for the Bingham tract. Athens and Ulster did not receive the benefits of Act of 1799, and therefore all settlers in those townships were classed as intruders, and had lost hope. Dr. Rose left no stone unturned in procuring settlers for his location, and made known to all that a movement was on foot to petition legislature for supplementary acts in favor of Bedford, Ulster and Athens. And further, he gave public encouragement that Pennsylvania landholders would support such a measure. Again hope rose high in Elizabeth Matthewson's mind.

As she had not yet relinquished all the property, why not seek to hold possession? Mr. Overton, according to his own deposition, had already been skillfully treated. As he was leaving town for the winter, he offered first payment on price (\$700) of house and lot, without waiting for the title. This was declined; cash was scarce, and Mrs. Matthewson feared she might be induced to lend, and so lose. It was agreed that the entire payment should be made at once, that she might have a fund to purchase elsewhere,²⁶ and the matter rested. Soon

²⁵ These papers are among the Herrick-Welles portion of Craft Collection. The quit claim deed to Henry Welles was recorded in Susqua Co. Records Book G, p. 163, by John Franklin, clerk. Besides this and the aforementioned Bond, was an agreement between Henry Welles and Mrs. Matthewson, whereby he agreed to lease to her for the nominal sum of *seventy cents*, a lot south of Big Flat pasture, also three other meadow lots, for her use for sixteen months to 7 November, 1809, the meadow lots not to be ploughed, but improved for mowing, and delivered at expiration of time, without delay, and in as good repair as to fences as now. And yet it was on one of these lots that plowing was commenced in the ensuing spring, resulting in a desperate quarrel on the spot, according to sworn depositions. An appended record to last agreement gives names of various witnesses to the fact that Henry Welles warned Mrs. M. 7 Aug., 1809, demanded possession 7 Nov., 1809, that she gave possession 8 Nov., and that Mr. Welles drove off her stock same day.

²⁶ The outcome of this matter was as follows, according to Overton's sworn deposition: When he went up in the Spring to make complete payment, he was told that Mrs. M. had only a life interest, and one of the older children assured him they would call on him if sale was consummated. He asked in vain to be indemnified against children's claim and decided the contract was at an end. But after Henry Welles had been put in possession of the other lots as agreed, effort was made to make Overton pay, and a suit was brought against him in New York State in 1809, and he was arrested at Newtown. He was also deceived (evidently intentionally) by Vincent Mathews, lawyer, for when he came up the river at appointed time, he learned a judgment by default had been taken against him, he was "taken into execution, and before he could get his liberty, he was obliged to release Mrs. M. and Dr. Satterlee from

thereafter it was apparent that Henry Welles, as well as Mrs. Mathewson, had fallen on troublous times, and both deserve sympathy. New lions now loom up in the way, as disclosed in the following letter, well calculated to give even Richard Caton "a bad half hour." The seesaw was again in motion—Connecticut up, Pennsylvania down!

"Tioga Point, 20th Feb'y, 1808.—R. Caton, Esq.—Dear Sir:—I received your favor of the 18th, Jan'y, by last post in answer to my letter of 10th, Dec. in which I informed you that Mrs. Mathewson had agreed to give possession of some hard quarelling before that is the case. The deed had better be executed a deed for the lands. Since that time a new affair has taken place which to you and us is fraught with important consequences as it respects the ownership of the lands on the Point, and the relative situation of my Father's concerns with you and Mr. Lockhart; * * * the Lockhart purchase is about to be included in the operation of what is called the Seventeen Town Act, the provisions of which you are well acquainted with. It will be held in virtue of an old Grant by the Susq'a Co. of a Township called Old Ulster, which runs from the Point itself two miles down and three miles up the Susq'a River. The inhabitants have applied to the Commissioners for its establishment, and no doubt remains that it will be granted. It will unquestionably deprive you of all the lands on the Lockhart purchase, except those now held by both titles or in actual possession. It sets every thing afloat and seems just like everything else in this cursed eventful country. I am not without apprehensions, that we may lose certain lots of which we have taken possession, and Mrs. M. has such hopes of being able to hold her lots as to throw out hints that reach our ears, that she expects to hold them notwithstanding what is past, but there must be some hard quarelling before that is the case. The deed had better be executed and sent on here and a Writ of Possession from the Federal Court issued and we be put into possession according to law, and the deed tendered; if that is not taken she will be at your mercy. I have but little doubt but these proceedings will have effect.

"I suppose you are aware that the power of executors merely cannot give a legal title when it is vested in minors, and therefore the Writ of Possession is necessary. I suppose *that* will be sufficient. The Commissioners of the 17 Towns take a wide range, paying almost exclusive attention to regular Conn't titles. A variety of thoughts strike one's mind while thinking on its effect, and I am more reconciled to it than at first, under an impression that you can recover from Lockhart the full value of the land wrested from you by the State. That is a general opinion, and now there are a number of suits depending against the State of a similar description. And it might even be expedient to alienate the Conn't title to what you do now hold in order to recover more money and hold the land by virtue of that title solely. These are crude ideas, at least the last one, but there is no doubt but Lockhart will be obliged to refund a large sum as his deed you know is very explicit & perfect. It warrants *against the State* in very pointed terms. On the whole I am of the opinion that you will be a gainer by this, for my anticipations of the growth and importance of this place are very moderate, and even if that were not the case the Conn't title can be had at any time very low. In fact the purchase of Lockhart's title was a dreadful one, and unless you can recover the money a dead loss. Dr. Rose has made contracts with a considerable number of the backsettlers on the Bingham tract at one bushel of wheat per acre for the first 100, and 1 1/2 for another 100 acres to each settler. It was owing to his advice that the idea came of quieting settlers on the river in the manner above mentioned. He found it necessary in order to effect a settlement with the Back settlers. * * * I have leased several lots for you, the possession of which we assumed under your title solely, and are rather apprehensive of trouble from the tenants if the Yankees case holds. However, I will endeavor to settle it amicably.—HENRY WELLES."

the contract and to pay \$300 and costs. This suit was carried into Supreme Court, according to lawyer's statement still preserved; yet in 1826, when Henry Welles applied to the Clerk of Court for "Declaration, Oyer &c.," the papers could not be found. Therefore our knowledge is limited.

A few days later he thought best to write to Lawyer Hopkinson, as follows:

"It has become necessary that a writ of Possession in the case of Carroll vs. Matthewson should be issued, as difficulties have arisen on the part of Mrs. Matthewson, she has imbibed an idea that notwithstanding what has passed, she will hold the land in question under the Law of 1799, called the Seventeen Town Act, which is about to be extended to this place. I suppose it to be an imbecile idea, and that when the Execution is served it will place the Lands in our hand without dispute. It will be best for the Marshal to forward the writ to Mr. Henry Dowell of this Co., who is the Deputy Marshal, and who will probably proceed direct to this place for the purpose of executing the Process. The Law alluded to will take place here before the proposed suit against Jonathan Harris can be brot, to a close & I must settle with him on best terms I can."

A letter from Dr. Robert H. Rose to Henry Welles, written February 20, 1808, indicates that he was all things to all men; or perhaps he knew the trouble he had made at Tioga Point, and was trying to compensate for it. After consulting Wilkes-Barré lawyers, he wrote that Welles, in their opinion, would run little risk in holding his land under the Pennsylvania title. But that both lawyers seemed to think Welles *might assume the Connecticut title*, and make Lockhart responsible for the defect of "sd. Connt. title under Pennsylvania." This the lawyers thought of so much consequence that they advised Henry Welles to consult a Philadelphia attorney. What a curious showing! What troubled dreams all these people must have had as to titles, including the poor Commissioners appointed to adjust all these tormenting, conflicting claims!

Spring of 1808 came apace, and the "hard quarreling" seems to have set in. Both parties wanted to hold the lots; the proposed Writ had not been served. The action of Mrs. Matthewson, *after having accepted a deed*, was considered trespass; therefore, April 18, according to notice served April 13, an "Action of damage for trespass" was brought against Elizabeth Matthewson by Henry Welles before Esquire Saltmarsh. At this time Welles was away from home, probably running the river. His father's letters tell how the case went, and no doubt caused him to hurry home:

"Tioga Point 19 April 1808.—Dear Henry: * * * The suit of H. W. vs. E. M. came on yesterday. Colonel Irish was not present, Col. Franklin attended as counsel. The defence was this, and to me quite unexpected (because I was ignorant) There is a clause in the laws of Pennsylvania that when a cause of trespass is before a Justice of the Peace, if the defendant before the Referees were appointed swears that the title of the land will come in question, the cause ceases. This was urged by Colonel Franklin, and Mrs. M. was ready to give such an oath. Mr. Sedgwick in very strenuous terms opposed her being permitted to take such an oath, produced the deed signed by her own hand, etc. and told the Court that she could not do it *without forgery*. Saltmarsh gave it as his opinion that she ought not to be allowed the oath, then Referees were appointed by the parties,—namely Jos. Kingsbery, Samuel Gore and John Shepard—to try the cause on Wednesday—to-morrow * * * wrote between day-dawn and sunrise in haste and with inaccuracy. Yours affectionately,

"G. WELLES."

"April 24, 1808—Dear Henry: You have lost your case with Mrs. M. The referees awarded that they held no cognizance of it. Among the pleas made by Irish and Franklin was the intrusion law, making it a fine of \$200, on the seller—purchaser—Justice and recorder, and the act further stated that it should

be null and void—Col. Irish came to me the next day and seemed to wish to make some compromise. I told him you gave me express directions *not* to compromise. So the matter must rest as it is until you return. I would not advise you to go to Philadelphia on the business but write him after you return home for a new execution as Overton may be here and I think the (illegible) ought to be returned.

GEORGE WELLES."

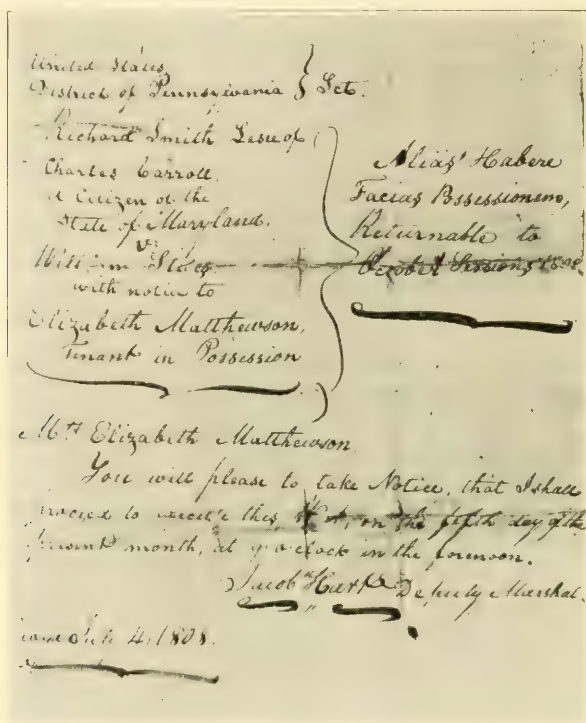
Subsequent actions are told in following letter, which shows a fairmindedness not usually accorded to Henry Welles by the friends of the Matthewsons:

"Tioga Point, 11 July 1808.—Richard Caton, Esq.—Dear Sir: I have omitted writing to you for a long time until I should be able to inform of the result of the affair with Mrs. Mathewson. It is at last brought to a close & we finally have conquered. On my return from down the river I found that by a decision here on a suit which I brought against her & was pending when I went away, that all our bargain made last fall in which Overton was concerned was set at naught & rendered a nullity. They plead the Intrusion Law which makes it finable to give, receive, acknowledge or record a Deed under the Yankee title, so that on that ground the one which I held was useless. Notwithstanding this we held some of the lots conveyed by force & they others, in this state things continued untill at last with great exertions we got a Deputy Marshal here to execute the writ issued from the Circuit Court, although both his and my life was threatened in very pointed terms. We executed the process amidst their threats on all the lots except the one on which she lives & I did not think it equitable & knew it not to be prudent to attempt that. They richly deserved it at our hands tho'. Our proceedings in the Civil Ct. were near being useless to us. In this unsettled, desultory country the names even of the Townships are often equivocal. Our writ called for the lands of the Deft. in the Township of *Tioga*, which was the name it bore when in Luzerne Co.—whereas there was another Township of the same name at the head of our river of the same name & there had been an application sometime before our suit was commenced to have it established as Athens. Luckily for us the people at Williamsport are very irregular & inattentive to the business of this quarter at least, and the application was not attended to. Our Township went occasionally among them by the names of Athens, Tioga, New Tioga, & Lower Tioga, & *there never was a legal alteration in its name*,—this cost me a journey to Williamsport to ascertain. The accidental circumstance of the name being unaltered has saved us the land, for notwithstanding they became convinced that judgment & proceedings on it were legal and binding, they were a mind to keep possession by force. This would have been very unpleasant as I should have prosecuted every person who had any concern in taking off any crops. However after two or three days of altercation & canvassing they concluded to submit and obtain of us the best terms & indulgence for the widow they could. After they unequivocally acknowledged that we held the staff in our hands, *we felt as you would do in the same circumstances, unwilling to deprive Mrs. M. & her children of the means of subsistence*, & agreed that Mr. Caton & Mr. Carroll would give her a title to the town lot on which she lives. We have entered into a Bond to that effect. We have likewise allowed her to take off all the crops which she has on the lands. * * * We allowed in addition Mrs. M. should have the farther indulgence of farming several lots of land next year for the support of her family. In the meantime she could sell the house & remove to some other place. The land she is allowed to use is principally within our third & I hope you will acquiesce in the arrangement we have made. We have done what we thought was for the best. If we had been severe a series of suits for forcible entry & trespass would have kept the neighbors in an uproar & been very injurious to both parties.

"The Legislature of Penn'a have suspended the functions of the Commissioners acting under the Compromising Law untill next winter for the purpose of getting a report from them stating the expense to which the state will have been put. I understand from the Comm. themselves that there is no doubt but their report will be satisfactory & that the business will go on next year again. I believe all the Penn'a claimants are desirous to have that Law take effect

here as they know the redress that they may have upon the state is far better than any sale that can be made to any Connt. claimants, & I have no doubt but that it is a desirable event for you and us."

As to the intervening events, they were of exciting interest to all parties. In fact, it is to be doubted if in all the years of its existence Athens ever had a livelier Fourth of July than that of 1808. Mr. Hart, Deputy Marshal of the United States Court for the District of Philadelphia, had come to town, and his purpose was pretty well known, *i. e.*, to serve a writ of ejectment, or, as termed in the law, to execute a process for the purpose of delivering up possession. Now, in this affair it seems worth while to make some use of family tradi-



THE FAMOUS WRIT

tion, showing, as no doubt often was the case, that Mrs. Matthewson not only had many sympathizers, but much advice as to actions that have been thought her own. Mr. Hart was a Mason, as had been Elisha Matthewson. Having arrived on the night of the third, he went, under cover of darkness, and advised Mrs. Matthewson to resist the serving of the notice. Accordingly the Wyoming musket "Old Trusty" was once more loaded, and, as all the world knows, there was plenty of hot water ready, and when the Deputy advanced on the morning of the fourth, the defender of her children's rights was ready at an upper window, boldly exhibiting Old Trusty and the steaming tea-kettle.

There is little doubt but there was a large audience. Was not another Yankee-Pennamite War in sight? Colonel Franklin and many others were probably exultant when Deputy Hart, assuming that "discretion is the better part of valor," abruptly withdrew, but not without leaving the notice in a forked stick stuck in the ground before the door. And surely, not without a gleam of laughter in his Masonic eye, as he looked back.

This notice (printed on foregoing page) having been long ago picked up by Edward Herrick, Jr., may here be read of all men.

The Declaration of Independence needed no further reading on this Fourth of July, and the joy of the Connecticut settlers precluded all use of fire-crackers and sky rockets.

At the time of the April suit Mrs. Matthewson had engaged as her counsel one Job Irish, who lived at or near Asylum. "Irish was a pettifogging lawyer of no mean ability, an unlicensed practitioner, and at times a preacher." He came from Columbia County, N. Y., about 1800, and first settled on Towanda Creek. His chirography was unique and celebrated.



According to the deposition of Irish, he was again summoned in July, when he said:

"I understood from the said Elizabeth that she had shut up her house with intention of resisting the Marshal, *but that on the assurance of Henry Welles that she should not be disturbed in the possession of her house and lot, but that the same should be released to her, she had opened her doors.* That she then agreed that the Marshal might peaceably give up possession of the *lands below the village* to Henry Welles, Welles engaging to obtain for her a release of house and lot, and to let her take off all crops then on the ground, that, at the request of sd. Elizabeth, Irish accompanied the Marshal and Henry Welles to the lots below town and gave peaceable possession. That Henry Welles then promised Irish that he would give Mrs. M. \$200 as a gratuity, *which was paid.* That in many conversations afterwards Mrs. M. expressed herself as satisfied and said *she thought Henry Welles had been quite generous.*"

This is a somewhat different story, but it was given under oath by defendant's own counsel. Subsequent events go to prove that Mrs. M. was surely aggravated or instigated by other people to continue the quarrel; in other words, she was used as a tool by some of the many men of the Susquehanna Company, or the Pennsylvania landowners.

In October, 1808, matters once more seem to be adjusted by the acknowledged receipt of Henry Welles' bond of indemnity from Mrs. Matthewson and Elias Satterlee.

A series of letters or extracts will best tell the story here.

"March 27, 1809.—Richard Caton—Sir: I have delayed a long time to answer your favour of 18th Jan. A few days after receiving it I was married on the 20th of last month to a bride who was all my fond heart wished; young, lovely and amiable, beloved and admired by every one who was acquainted with her. I brought her home the happiest of human beings and on the 15th of this month followed her remains to the long last home. God of Heaven—the pen drops from my trembling hand—let me tear myself from the recollection long enough to speak of the contents of your letter. I wish you would be kind enough to have the deed to Mrs. Mathewson executed, and send by some person

going to Phil'a or some other place in Penn'a where he can acknowledge it before a magistrate, and then enclose it directly to me. I hope you will attend to this deed without delay as difficulty will arise if not sent on. Our family are yet in your house (Irwin Hotel), but can and will leave it within three months, so if you think proper to have Mr. Clark come on, no objection will arise on that score. It is a delicate point for me to say anything relative to the expediency of his or any one else coming as a agent to sell your land. Keeping a tavern would be to him a source of loss than otherwise. David Paine's plan was to keep one so much better than the others as to acquire the custom, with the help of numerous friends and acquaintances; even with their advantages, I give as my opinion that he would make nothing. I well know Mr. Clark could not do near as well. The time has not yet come to effect sales of your back lands. The Point is also in an unpleasant situation. I cannot give any encouragement to mechanics or others to come here. I don't know the price of lots, probably it is so high as to discourage them from settling among us. In addition to this it is really an inconvenient, cramped place, on account of wood, pasturing and other important things. I am sorry to say disagreeable things, but it appears to me you should know something of the estimation in which the place is held, that you may, if you think proper, take measures for its advance instead of its retrograding. The Compromising Law, will, I think, take place, but whether this session or not, I cannot say. We are struck off into a new County District, but the southern bounds are so low as to take away all hope of the seat of justice being placed here.—H. W."

"Tioga Point 26 August 1809.—R. Caton, Esqr.: I duly rec'd your favors of the 8 June concerning Mrs. M's deed & the one by Mr. H. of 23 July.

"If the compromising law should not be extended over this place what mode would you pursue relative to the lots & lands on the purchase? Our neighbors often enquire on that point, and as there have been no instances, except Mrs. M. in the country, of persons being ousted by ejectment, they hope and expect you will not resort to that method but will be willing to sell; and by desire I make the enquiry: What do you design to ask per acre for the pine lands above the town flat? You will oblige me by stating what would be the price when you write next. I have conversed frequently with Mr. Paine about the house (Irwin Tavern) &c. He is willing to give as rent 100 dollars the first year, 106 for next, 112 next, 118 and so on, adding six dollars each year for the six years, making the last year \$136; and to make the necessary advances immediately to put the house in order to keep a tavern. This rent I suppose you will think low and indeed does not pay the interest of the cost of the property but it is really as much as he can afford, and I know of no other person who wants it. He is a neat, careful man and will do as well for the place as any one. Mr. Hollenback's property here consisting of 4 rich town lots, 2 two story houses and store room in one of them, stabling and other conveniences together with a large convenient store house on the bank of the river Tioga is rented for \$120 per annum. This property is worth more yearly than yours in question; as there is not much business done rents must be low. Mr. Paine observes that if you conclude to let him have the place at the price mentioned he will take it and will make the necessary imp'ts as cheaply and as carefully as if he were doing them for himself. It is difficult to anticipate what the exact expense would be, but he would charge just what they cost. * * * If that way is acceptable to you I can safely say that you will not be imposed on. * * * As plaistering here is quite uncommon owing to the extreme difficulty in getting Lime and plaisterers we think it best to ceil the rooms with rough boards matched together and then papered. It is cheap and appears well. Boards come low here.

"We think it quite advisable to paint the house outside as the old paint is nearly all gone and the house looks old and decaying. There never was a house more slightly or miserably built. The north cellar was walled up with logs. Summer before last we took them out and made a good stone wall. It is a troublesome inconvenient place and a pity it was not sold to the Saltmarshes.

"I am fully sensible that all these things ought to have been done by my father while living on the property, but every day has brought its unceasing labour, fatigues, & disasters to us and we have never had the time and the prop-

erty to spare. I have met with many losses and checks, among others two sweeping freshets this spring and summer, the latter came just before haying when every kind of crop was on the ground and killed the whole. Our grass is now on the ground a putrid mass. Corn, oats wheat and rye all dead, fences gone and soil washed. The river is wearing in several places which we must take in hand this fall or eventually the flats will be ruined, and we hardly know what mode to adopt. If the rains should cease and the river fall we shall boat a great qt'y of stone and pile in a proper place. *I am almost weary of the flats, they keep one in constant trouble.*

"I paid on account of the 4000 acres contract \$600 on the 1 day of May which you will please to endorse. When I can pay any more, I know not. I am exhausted by payments, losses and building.—I am with esteem, HENRY WELLES."

"Nov. 1809.—Dear Sir:—Yesterday's post brought me your favour of the 20th instant, which I have shown to Mrs. M. agreeably to your request. I think your ideas on the subject of her application perfectly correct. You may depend upon it, Sir, that as I told you in my last letter, their intentions were to take advantage of your indulgence to them in the farther use of land and deprive you of it under the Compromising Act, if it takes place.

"I shall endeavor to forward our mutual interests as far as is consistent in Lancaster next winter, indeed the particular situation of the country here was my principal inducement to attend. Had I as much to do at home as in other winters I should be very far from willing, but the water last summer did up my winter's work completely.—HENRY WELLES."

Previous to this it had been recognized as desirable to ask the Legislature to include Bedford, Ulster and Athens in the action of the Compromising Law of 1799. Samuel Satterlee, representative from this district, in February, 1809, presented many petitions to this effect.²⁷ While it was under consideration, the session closed before the bill was reached. Henry Welles was elected as Satterlee's successor, taking his seat in December, 1809. He was fully conscious that he was chosen with the expectation that he would push the proposed act to completion; the legislators having already agreed that they would defend the interests of Pennsylvania claimants, as well as those of Connecticut. It was a somewhat trying ordeal for a new member, and a young man, to feel that this was the one important act to be effected, *both for his friends and foes*. His letters at this time reveal a consciousness of his responsibilities, and yet a sincerity of purpose and zeal to

²⁷ Lancaster, Jan'y 13th, 1809.—My Dear Sir: My first enquiry is what have I done that you will not write me. I have written you twice since here by private conveyance. I believe the letters have not reached you. * * * Petitions are presented for the two contemplated County Districts and referred to a Committee of which I am a member, we shall undoubtedly report favourable, and I have no doubt the results will be favourable unless Messrs. Miner & Dorrance create a difficulty respecting the boundaries. Mr. Miner, a few days, since, presented two petitions from some fellows living about Tunkhannock, praying to have us annexed to Luzerne, in the event of being set off into county districts. I wish you without any delay (if thought advisable) to Draft a petition for an Organization of our County so far at least as to enable us to choose Commissioners and a Treasurer. And I think it will be well to ask for an Organization for judicial purposes. I hope you will not neglect to forward a petition for a removal of the place of holding our Elections. You will see the propriety of forwarding all petitions as early as possible. We have a multiplicity of business and are a set of as lazy rascals as you ever saw assembled. Consequently we shall be in great confusion toward ploughing time. As for Speakers in the House, we have none (or no good ones) since the departure of Leib for Congress, but *gablers, loungers—Murderers* are so numerous and so active, that I have not yet found sufficient nerve to display my wonderful faculties in this mutilating art. Petitions are presented for the removal of the Seat of Government. Some pray for Harrisburgh, others for Northumberland—Some are presented to the Senate and others to the House. Committee of Senate have reported in favour of Northumberland; and so will the Committee of the House report in a day or two. I am in some hopes of a result favourable to Northumberland but 'tis extremely doubtful, I am electioneering for it, most industriously, and the Philadelphians begin to talk favourably and say they are almost persuaded that it will be politic in them to favor Northumberland. For our proceedings generally I refer you to our journals which I forward to Esq. Paine. I am as I ever was, Your sincere friend, SAM'L SATTERLEE.

learn, that soon helped him to gain the confidence and admiration of his associates, though his efforts in behalf of the act were not altogether successful. Very soon after he took his seat he wrote to his father:

"I am apprehensive the compromising business will not succeed, the subject is rather an obnoxious one to the house, Franklin is so odious to the members that even when his name was read as a signer of the petition a buzz of disapprobation was evident—I wish I had erased it.—I shall press the matter on, if it succeeds it will be well, if not I shall be conscious of having done my duty to my neighbors, and shall get my tongue loosened, and perhaps speak on other business."

January 10, 1810, he writes concerning letters from Mr. Caton (who persists in combining his father's unsettled account with Henry's purchase of the Point), saying:

"He talks in an obscure way, but his object and intention are not obscure, * * * his view is to have your account settled before Mr. Carroll's deed is given to me. * * * Dont give yourself any uneasiness about * * * (the contestant), if the compromising law is revised, there will be a medicine in it that will cure * * *; if it takes place it will be by my management, and evidently some members are friendly. If it gets into a Bill, I shall digest a whole system, and have no reference to any former laws; it must be simplified and as specific as possible, and exact better terms from the settlers, or it will never pass."

He continues to urge upon his father the necessity of engaging in all sorts of business enterprises to retrieve their fallen fortunes, and closes with the warmest expressions of affection for his parents. January 27 he writes that the bill for the erection of two new counties had been before the House, and that he had spoken for it, also that it would undoubtedly become a law, adding, what is now unknown:

"The name of our county is *Morris*, it does not please me; there is some talk of calling it Ontario in the Senate * * * After a great deal of doubt and hesitation I have concluded to venture on an important measure relative to our township Law. I wrote to Athens and Ulster for instructions; having received none, shall make this alteration, to the terms * * * To have the settlers pay the same price as that affixed by Commissioners as compensation to Penn'a claimants * * * these terms however comparatively hard, are certainly much better than trusting to individual compromises; it is general and uniform in its operation; perhaps in this form the measure may go thro', but I pronounce it impossible on the former terms. This is an important step, and I feel uneasy about it; but under the conviction that no better terms can be had, they ought to remain satisfied. The scene here is a busy, intriguing and instructive one—things dont go it is help me in this and I'll help you in that; well let um go on.

"We must try to raise money from our business, we'll try lumber next year, it affords one of the best hopes of our country; rough as the country up there is, it has some great resources; its conditions will be ameliorated by improvements." Feb. 3, he writes: "I dont know what your opinion is, or that of our neighbors respecting the expediency of the compromise law on terms I mentioned in my last; 'tis true they are very different from the former, but 'tis also true that the prices are less than half those they must pay to individual land holders. * * * Take such a spot as John Spalding's for instance; under the law perhaps 30 acres of his land might come at \$3. and hardly that, and the rest at 25 cents on a long credit, with the state as creditor, lenient and indulgent. On the other hand this land comes at about \$4. per acre rough and smooth, the difference is great. I feel very apprehensive of censure on the subject, but as there is no time for delay, and I am convinced it is very desirable, I will get the law passed if I can. * * * As it respects our private interests it is desirable, and the people on the point will get their lots at a song to what Caton would ask, another important thing, if it had been possible to have got the two towns of Bedford and Ulster by some sort of a bargain, it would have been totally impossible to have

got its benefits extended over the river to Sheshequin, and there would have been great censure, and with some justice too. As I have drafted the Bill, there is an ample provision for Pennsylvania claimants who are *in*, and who are *not in* possession. I have drawn it up with great care and caution and shall report it on Monday next."

February 15 he writes that "the new counties are finally set off, the name of one is Ontario" (changed to Bradford March 24, 1812), and that the bill adjusting titles in the three townships is before the House:

"I have some hope of its passing, but dont say one word; for it is doubtful, and some advantage might be taken, up with you. One section provides in a full and explicit manner for our safety as possessors under Penn'a. title. I consulted four or five of the first lawyers in the State on the subject. * * * A bill removing seat of government to Harrisburg has passed. I think it will be the permanent spot, and of some use to us who live on that river."

He writes to Mr. Caton February 16:

"Dear Sir:—I can only repeat what I have said before that when it is ascertained whether the Point comes under the Compromising system or not, I have no doubt but that my father will make such offers as you will deem reasonable and the utmost in his power to give. Should that event take place it certainly will make a very great difference in the case. Instead of being responsible to the estate of Mr. Lockhart to a large amount, the purchasers of his title will have a legal claim on it.

"The great press of business before the House has prevented me from getting the bill for the adjustment of the titles on for consideration. However, from what I can learn in conversation with the Members, I think it may be got through, tho' on different terms from the original law. The bill before the House stipulates that the settlers, instead of 2/5ths, shall pay the whole amount of price affixed by the Commissioners as the compensation to the Pennsylvania claimants. These terms are in my opinion equitable, and it is highly expedient for the peace and welfare of the State that it should pass. The violent prejudice that exists here against the Yankees, however, may possibly defeat the business in the Senate. Indeed, it is a tedious, irksome task to get anything done here for that unfortunate and obnoxious part of the State. It is not very desirable to represent a set of people who are in a manner at war with the State, and to be here alone and unsupported in any local object. However, I must make the best of it.

"The Point cannot be a County Town. It is too far from the centre. The law limits the distance at 7 miles and the Point is 16. I went to Philadelphia in January for the purpose of trying to get the route of the Berwick road changed so that it may come round by the Point, and have succeeded on condition that the inhabitants about there should make the road entirely from Towanda to the line, which will cost from \$11 to \$12,000. On the suggestion being made to them they have agreed to do it and have subscribed \$8,000 so that I have sanguine hope the road will be made around there. I think it will be extended to the Cayuga Lake and will become a very useful road. I am very much pleased to see Mr. Sterret of Balt'o with a memorial from the Maryland Canal Co. containing an offer to co-operate with Penn'a in improving the navigation of the river—an object of the first magnitude and which I hope will meet with a proper attention from the House. I am chairman of the committee appointed on the subject and shall exert myself to get everything done that is practicable. The jealousy of the Philadelphians will probably retard our steps, but they cannot coerce trade across the country out of its natural course much longer. The people on the vast territory on the Susq'a are becoming too numerous and influential in the legislature for all the rest of the State."

March 3 he writes to his father:

"You ask how I like the legislature. Why, if my health was good, I think pretty well, the intercourse with agreeable and well-informed men is pleasant and quite instructive, and I find myself well treated. * * * I am afraid of the fate

of compromising bill, the house seem so unwilling to take it up, it is an obnoxious subject; however next week we will know its fate. I have had a great deal of trouble with this affair, and whether it passes or not shall do my duty to my constituents."

"March 10. Our compromising bill has passed the House with difficulty after a long and animated debate, in the course of which *Athens was struck out*, notwithstanding Graham's and my efforts; we adhered to that township with such tenacity as to endanger the whole bill, and at last were fain to lose it in order to save the rest. * * * I expect much censure put upon me; but I espoused the cause with all the zeal and ability in my power. * * * I spoke six or seven times, listened to with perfect attention. * * * Altho' the law embraces only the two towns Bedford & Ulster, I know I carried the bill; the labour however may all prove abortive, it has not yet passed the ordeal of the Senate. I shall now be busy among the members, I am anxious to get it through, our interest in it is great. Although one section guards us as pointedly as possible, yet you must look out for Mrs. M., dont let her get possession on any lot, we shall have trouble I suppose, but there is no danger at last. I have written this in the midst of a great debate on militia system, some of the members are getting very warm.

"HENRY."

This bill, as framed and reported above, became a law March 19, 1810. Its enforcement and effects will be given in a later chapter.

CHAPTER XVII

1800-1810

ADJUSTMENT OF TITLES

Tioga Point at the Opening of the Century—Agitation Caused by Attempted Enforcement of the Intrusion Law—Work of the Commissioners Under the Compensation Law—History of Ulster Township—Rejection of Bedford, Ulster and Athens—Last Efforts of the Susquehanna Company—The Satterlee-Matthewson Controversy—The Bedford and Ulster Act—Work of the Commissioners of 1810—Final Adjustment of Connecticut Claims—Conditions of Trade—War of 1812—Militia

Having carried the Pennsylvania claimants ahead to another epoch in the history of the valley, *i. e.*, the passage of the Bedford and Ulster Act; let us retrace our steps, and take a general view of the town and the condition of the Connecticut settlers. Strange that among the many old letters no mention is made of the general impression produced by the attempted enforcement of Lockhart's claim! Doubtless it seemed but an episode in those troublous times.

Although at this period there was general uneasiness about titles, and considerable depression resultant therefrom, the tide of emigration flowing into New York State through Tioga Point gave an impulse to trade. It was estimated that between 1790 and 1800 nearly 1,000 people settled in the Genesee country, whose main channel of ingress and egress was up the Susquehanna and Chemung (or Tioga). Tioga Point seemed a natural tarrying place, and almost every home was a public house, or at least open to the travelers, most of whom came by water. Generally the first stopping place was at Queen Esther's flats, and doubtless this was the reason that in 1796 a road was opened "from Wright Loomis's to the Ferry." This ferry was at the end of the street crossing from river to river just north of present Chemung bridge. Let us ride to town with Mr. Loomis about 1801, and cross the ferry to the street, which was called on old maps "Ferry Street," *the first opened across the Point*. On the northwest corner lot a large new house is being erected by John Saltmarsh,¹ lately arrived. The family were old acquaintances of George

John Saltmarsh

¹ According to family traditions the Saltmarshes were descended from an English family banished from England after the battle of Preston-Pans in 1745. The earliest ancestor of whom we have record is Thomas Saltmarsh of Watertown, Conn., who married Mary Hazen. Their son William, b. 20 Jan., 1734, was a farmer at Watertown; m. 9 Dec. 1760 Elizabeth Patterson, of Scotch descent, dau. of Joseph Patterson of Watertown. Both Saltmarsh and Patterson were in colonial wars, the former a lieutenant in 1758. William had two sons, John and Elijah, and a daughter (name unknown), who married Manna Newel and settled at Union, Broome Co., N. Y. In 1796 William Saltmarsh and wife came from Canaan, Columbia Co., N. Y., to live with their daughter, and in 1801 they came to Athens to live with their sons. They were earnest Christian people, connected with the church at Richmond,

Welles in Connecticut, and his deed to them, of property extending from present Tioga Street to the Herrick property, is the earliest Pennsylvania deed found. They built a pretentious public house, still standing. On the east side of Main, on the cross street, is the public house of David Alexander, built by Samuel Hepburn. A short distance above (on present Perkins property) was Dr. Hopkins' hospitable home, ever open to travelers; his large and far more pretentious house, built in 1802, was farther up the street. Next to Hopkins' was Elisha Matthewson's "Red Tavern," and of course, opposite it was Hollenback's. This was now kept by a son-in-law of Matthias Hollenback,

Stephen Tuttle

Stephen Tuttle,² who came to Tioga Point in 1798. While his residence only lasted ten or twelve years, he was actively concerned with affairs

here, and his letters to Matthias Hollenback, still preserved, are a great source of information. Therefore the silhouettes are here given of himself and wife. Associated with Tuttle at this time was



MARY ANN TUTTLE



STEPHEN TUTTLE

William Prentice,³ acting as postmaster and having an office in Hollenback's store. Previous to this letters came to town from Wilkes-Barré postoffice by boatmen or chance travelers. Wm. Prentice was admitted to the bar of Luzerne County in 1799, therefore he was the first lawyer, as well as postmaster. His house was the farthest north of any known at this time, located near the Tioga River, west of R. F.

Mass., just over the line from Canaan. Elizabeth Saltmarsh was greatly beloved in Athens; she and her husband lie in the old burying ground. Further information of Pattersons to be found in Patterson Genealogy. Doubtless the Saltmarshes could be easily traced at Watertown or in Bond's History of Watertown. Nothing is known of Elijah Saltmarsh. John was a graduate of Yale college, m. Rhoda Beach and had two children born in Weston, Conn., D'Alanson and Orlando; and dau. Eliza, b. 1802 at Athens. John Saltmarsh was a merchant, taverner, justice of the peace and general lawyer for the settlement. He was an intelligent and useful citizen. D'Alanson m. Esther White of Connecticut, and had Caroline, Eliza and Orlando. Caroline m. Dr. Jno. Fretwill; Eliza m. George H. Welles; Orlando m. Mary Redington and lives in Troy, Pa. Orlando 1st m. Sarah Goodrich from an Owego family, and had John, Goodrich and Louise, who m. Walter Comstock, now living in New York. Eliza m. William H. Overton. The Saltmarsh brothers moved to the South about 1835, and remained many years, establishing post routes under the Government in Georgia and Texas; and Orlando dying there in 1852. "Squire" John Saltmarsh died Nov., 1815, greatly lamented.

² Stephen Tuttle was the son of Capt. Stephen Tuttle of Fishkill, N. Y., who in 1785 purchased a half share right from Franklin, and settled at Wilkes-Barré. Little is known of either man in early days. Soon after leaving Tioga Point, Stephen Tuttle settled at Elmira permanently; he was an active business man, social and witty. His wife was an extraordinary woman with great executive ability, and esteemed as a "sensible, noble, Godly woman."

³ William Prentice was the son of Dr. Prentice of Milltown. See sketch in later chapter.

Page's on a cross street named Welles Street. But we have passed several by. Just above the Academy was George Welles' public house and store, to be seen in a later picture of Main Street, and across the way the Paine house, now kept as a public house by Samuel Avery, brother-in-law of Obadiah Gore, and later of Owego. John Shepard also was a "licensed taverner," though it is not known where he kept open house. Thus it will be observed that there were at this date about seven or eight houses open to travelers. The Academy was not finished, owing to the unsettled feeling due to the enforcement of Intrusion Law. With the exception of the Hendy cabin next "burying ground lot," no other houses are known at this period below Mile Hill, unless Joseph Tyler's, already mentioned.

The Paines, although alive to their individual interests, and fast amassing property, were now most active in promoting the interests of the town, and from this time on were instrumental in opening streets, etc. Both men had a great love for trees, shrubs and flowers, and not only adorned their own grounds, but suggested and aided in the planting of shade trees (locusts and lombardy poplars) along Main Street and in front of the Academy; the poplar near the Lehigh Valley Railroad station being the only one now standing.** Clement writes of spending two years in introducing fruit trees of most valuable varieties; obtaining them from the famous English nurseries of Dr. Priestley at Northumberland, and even importing some himself, until he had 100 varieties. "Old Clem Paine's apples" are still spoken of by the older boys as luscious, but forbidden fruit, whose fame was so great that even the high board fence and the owner's shotgun could not keep the boys out.

About 1799, Clement was inclined to start a newspaper at Tioga, being an excellent printer, and urged by many sanguine friends in New York and Pennsylvania. He found the particular obstacles were the scarcity of money and the great difficulty of procuring regular supplies of paper, "which I should be obliged to transport 200 miles through a very bad road, and where there is at times hardly a possibility of going with any kind of carriage." With an eye to thrift, at this time, having rented "the best and most elegant house in the country," he went to Philadelphia, and "resumed his profession," as printer, temporarily. He thus describes the situation at Tioga Point:

"The times with us are very distressing, many persons are hardly able to keep their heads above water, especially those who have dealt in lands * * * A most incalculable event has happened, which may reduce me to bankruptcy. The judicial courts in several of the eastern states have declared null and void all notes given for Susquehannah lands, (adding in lighter vein) Am most eggregiously in want of a wife. David has been commisssoned Justice of the Peace."

Another letter, bearing on the history of this period, was written by C. A. Carpenter, unknown to us, from Sterling, Ct., May, 1800, addressed to the Susquehanna Company Committee. It reports a large number of respectable men ready to move to Tioga Point or vicinity if Capt. Levi Thayer, who had gone on with a company,

* Since writing, this tree also has died, 1907.

should return quickly and report favorably, etc. The indorsement on the letter shows that there were still traitors in the camp and intercepted letters; here it is:

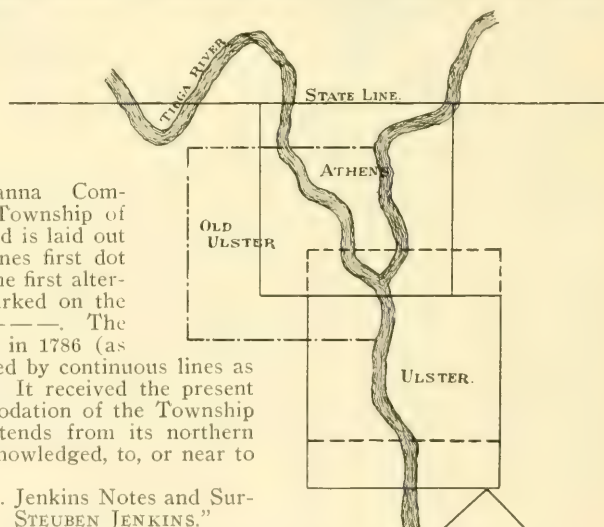
"Respected Worthy Republican, the within I sealed and delivered to Joseph Biles, as he told me he was going emediately to your house, I found him 3 or 4 days after at Isaac Cs (Cash) whom I know to be equal, and if possible superior in wickedness to Slocum—the letter was broke as you may see by the blue seal. From the Lover of God and man—CHESTER BINGHAM."⁴

The Ulster Grants.

Considerable mention has already been made of the various grants of Ulster Township, the subject appearing several times chronologically. In view of the fact that the location of the original grant is somewhat disputed, it seems best to review the whole matter, in connection with the enabling and corrective legislation of Pennsylvania from 1795 to 1812, from Archives.⁵ It has not seemed necessary to this history to give that of all the seventeen townships, even as to definite location. The maps known to us are, that found in Miner's history, apparently made after 1787, and that made by Col. Jenkins, the acknowledged surveyor of the Susquehanna Company, from which a copy was made by Steuben Jenkins for Mr. Craft in 1874, the whole of which is to be found in Craft's "History of Bradford County." From this map we have had copied the portion showing the seventeenth and eighteenth townships; explained by an extract from Col. Jenkins' notes. We have found no reason to discredit this map, according to the commissioners' decisions. But our attention has been

"The Susquehanna Company's grant of the Township of Ulster was in 1775 and is laid out on the map by the lines first dot then dash - - - -. The first alteration was in 1785 marked on the map by the lines — — —. The second alteration was in 1786 (as it now stands), marked by continuous lines as the other Townships. It received the present form for the accommodation of the Township of Athens, which extends from its northern boundary as now acknowledged, to, or near to the State line.

"Copied from Col. Jenkins Notes and Surveys in 1874 by STEUBEN JENKINS."



⁴ Chester Bingham, already mentioned, was an extensive speculator in lands, located at Ulster on the property now occupied by Mr. Mather. By the failure of the Connecticut title, he lost his means and returned to Connecticut in 1803.

⁵ The records may be found in Vol. XVIII, second series, the information coming under work of the commissioners of 1801 and 1810, and the correspondence resultant therefrom, though, unfortunately, this volume has no consecutive or chronological arrangement.

directed to another map of the seventeen townships in the collections of the American Philosophical Society, which we have also examined. This has no date and no surveyor's name; it has endorsed on it, "Received from Judge Gibson, 11 May 1819." It is noted on the face of the map that "The white townships are the surveys since the Decree of Trenton, and many of them since the decision of Judge Paterson in 1795."⁶ This map is included in a manuscript volume, whose contents are labelled as partly copied from State records, and partly from reports of Judge Gibson and Judge Thos. Cooper.⁷

The original grant of Ulster is generally acknowledged to have been made in 1775 to Asahel Buck, Lockwood Smith and others. On account of the "breaking out of the war it was not surveyed or allotted," although, according to family traditions, Buck and Smith were on the ground, chose their lots, and are supposed to have made temporary homes there. It is quite possible, according to family records, that they "made pitches" prior to the grant. Asahel Buck was killed in the massacre of Wyoming; Lockwood Smith returned to his original location; and both he and the Buck heirs, or their grantees, were granted patents on these lands in original locations, thereby verifying the family traditions. Also recent litigation has brought out all the facts connected with claims of Lockwood Smith. Both Buck and Smith were residents of Kingston in 1777-8-9, as shown by tax lists; family tradition says they returned thither for safety at commencement of war. The first grant of Ulster was made in ignorance of the location of the New York State line, and when it was discovered that there was room for another township (laid out as Athens), a second grant was made in 1785 of Ulster, with attempt to locate it below Athens. After the actual survey of Athens, in 1786, the second grant being found to overlap the Point, a third and final survey was made in 1786, including the so-called Spalding settlement in New Sheshequin, on the east side of the river.

Apparently, the Connecticut settlers felt no special concern about these several grants, even though the terms of the Intrusion Law naturally excluded both Ulster and Athens. But in 1799 the Legislature, hoping to end the long struggle, passed the quieting act known as the "Compromise Act,"⁸ and sometimes as the "Compensation Act." The benefits of the Act extending only to the "Seventeen Townships," excluded Athens, New Ulster and all later grants, such as Burlington, Columbia and Murraysfield. Colonel Franklin observed that he did not know why only seventeen were mentioned, as there were many more; thus ignoring the decision of Trenton. Under the Compromise Act, commissioners were appointed to survey, classify and value the lands; then to issue to the settlers certificates, which, upon payment of a small fee, could be exchanged at the land office for State patents, insuring a perfect title. It was, however, stipulated that the Connecti-

⁶ Van Horne vs. Dorrance, 2 Dallas, p. 304.

⁷ We are indebted to Mr. Harvey for this find, and should have left the publication and explanation of this map entirely to him, did it not so directly concern our history. The so-called white townships are Ulster and Athens.

⁸ See p. 715, Vol. XVIII, second series, Pa. Archives.

cut settlers must relinquish all papers proving Connecticut rights before receiving certificates.

The benefits of this Act did not extend to the half-share men, of whom at this period it was said:

"From Tunkhannock to Tioga, and along Towanda and Sugar Creeks, there were two or three hundred resolute daring fellows, who had come with the understanding that they might expect to fight for their rights, and who had sworn vengeance on any who attempted to dispossess them."

They were still the "Wild Yankees" and proved the force of their oaths by pursuing the surveyors sent out by the commissioners and the Pennsylvania landholders, breaking their instruments, shooting at them from ambush, etc. They could not be recognized, as they were generally disguised as Indians, or masked like the latter-day Ku-Klux.

"Though often industrious men who would have made good citizens, since they had come solely to resist Pennsylvania, the Commonwealth had for them a policy not of conciliation, but of extirpation. Toward them juries were allowed no discretion, and courts could show no mercy."

The mass of these men were settled near or in Burlington and were under the leadership or control of Franklin, Satterlee, Kingsbery and others along the river; therefore Athens was called the very storm center of opposition, far more violent after the Act of 1799.

The first commissioners under this Act found so many difficulties in the way of execution that they very soon resigned or abandoned effort; so also with the second set. Both found the provisions of the law so vague that they did not reach the people for whom it was specially intended. The "actual settlers" under Connecticut, having lost some of their title papers by the repeal of the Confirming Law of 1787, were very distrustful, and did not come forward at all.⁹ It was, therefore, no wonder that the commissioners "acted ineffectually," as had the seven sets appointed to enforce the various Acts since Decree of Trenton. However the commissioners appointed in 1801 proved equal to their task. Thomas Cooper was an English lawyer, living at Lancaster, afterwards President Judge of the eighth judicial district of the State, and he proved "eminently fitted for the responsible and onerous position," in which he was well supported, not only by his co-laborers, who attended to the surveys and valuations, but also by Tench Coxe, Secretary of the State Board of Property. Coxe had long been active in land transactions, and his advice and opinions were of much value, although the commissioners were given such authority "that they constituted in effect a court clothed with competent powers for deciding questions of title to land, * * * and all the legal part of the business was committed to Mr. Cooper."

Repairing to Wilkes-Barré in June, 1801, to begin their duties, Mr. Cooper says:

"We found no inclination among the Connecticut claimants to take the benefits of the law, and no expectation that any future commission would surmount the obstacles."

⁹ It should be noted that Judge Obadiah Gore came forward with his relinquishment to the first commissioners in 1800.

All the corrective legislation distinguished broadly between settlers *before* and *after* Decree of Trenton, or, as put by Mr. Cooper, "those who settled by mistake, and those who settled by design." Some amendment or supplement to the law was obviously necessary. Much effort, correspondence and experiment resulted in bringing the matter before the Legislature of 1801-2. Thomas Cooper appeared in person, and doubtless hastened the passage of the amendment of 1802. His "Observations," addressed to the Legislature at this time, were published¹⁰ and give a very clear idea of the Act, its defects, and the expected effect of proposed supplement, he remarking that the original Act satisfied neither the claims of justice nor policy. Further interesting "observations" of Mr. Cooper were written as a preface to the first volume of minutes of the commissioners, preserved until recent years. Previous to the passage of supplement of 1802, many letters passed between Cooper and various State officials; Coxe was doubtful as to location of the seventeen townships, wished to see Indian deed, have new surveys, etc. Cooper thought location in or out of any purchase, of minor importance. New surveys were promised in time, but in the letters at hand (from Archives) there is no suggestion that a map was made. Cooper remarks:

"I even suspect that the Connecticut claimants will fail in making out a single title in Athens, for which I am sorry."

He does not say whether they applied under Athens or old Ulster. However, the law provided that the Pennsylvania claimants, whose surveys were made prior to the Confirming Act of 1787, were to be given preference to Connecticut claimants, but when a settler was on under a Pennsylvania claim of later date, and there was a Connecticut settler with a claim satisfactory to the commissioners, the certificate went to the Connecticut settler. According to this provision of the Act, the Lockhart title to the "Indian Arrow" set aside all the "actual settlers" of Athens township.

*Intrusion Law Rendered More Effective—Appointment of
Colonel Horne.*

Cooper and associates were not the only commissioners in the valley. The Philadelphia men, who had speculated wildly, now found themselves possessed of 1,300,000 acres, to which their title was somewhat disputed by those Connecticut settlers after the Decree of Trenton, which the Intrusion Law had not reached as intended. Therefore they organized as the Pennsylvania Landholders' Association and sent a memorial to Legislature in January, 1801, praying for more effective measures.¹¹ The result was the passage of a supplement

¹⁰ See Luzerne Federalist, March 29, 1802; also full copy in Craft Collection.

Memorial.

¹¹ "IT has been the insulting boast of the Connecticut Claimants, that the Laws of Pennsylvania have not been carried into execution; a hope that such laws would be permitted to remain a dead letter, and a reliance on the inattention of the holders of land under Pennsylvania, have induced a number of people to intrude themselves into Pennsylvania, under the pretence of grants from the Susquehanna and Delaware Companies.

"There can however be no doubt entertained, at this time, that the laws will be punctually and vigorously carried into execution.

to what the half-share men called "*the Fire and Brimstone Law.*" Said supplement providing for enforcement of the law in various ways and for the appointment of a special commissioner, with a salary of \$1,200, power to appoint sub-agents, etc. Col. Abraham Horne, of Easton, was appointed in June, 1801, and at once took the field; he has been called "*a legalized inquisitor, treated as a hated enemy, and shunned like the plague.*" His efforts were to be specially directed against the half-share men. His appointment and approach being known, a letter was written to him by Rev. Thomas Smiley, who "lived up Towandee," a preacher, who was meddlesome and much disliked by the half-share men. As he offered assistance and promised compliance of himself and some neighbors, Col. Horne appointed him sub-agent and arranged to meet him at Asylum. However, Horne first went farther north, being reported at Tioga Point in July, and he wrote that he regretted having visited that neighborhood, "as the people there exert themselves to prevent compliance with the law." He issued a sort of circular letter to the half-share men,¹² evidently looking out for his own welfare, while Smiley, to whose hand it was committed, worked among his neighbors. The result was not eminently satisfactory, for hearing that Smiley was collecting signatures, the Wild Yankees rose in their wrath, disguised themselves, followed Smiley's tracks and overtook him in the night at a friend's house. They entered, dragged the offending preacher from his bed, burned his papers, tarred and feathered him, and invited him to leave the country. Several of this party were arrested and brought to trial; but all were boldly acquitted by a friendly jury, some of whom, it was said, had been

"The Governor is well known to be decidedly in favor of the measure, not only from his duty as a public officer, but also from his private opinions.

"An Agent has been appointed on the part of the public, with a handsome salary, for the express purpose.

"The holders of lands under Pennsylvania, and within the Connecticut claim, have entered into an association and appointed a committee 'in order to obtain the beneficial effects which may be expected to result from those laws.'"

"The Associates are highly respectable in number and character.

"The property they have at stake is immense.

"Their Committee is active and industrious.

"Council of Eminence in the law have been applied to, for the support of prosecutions against offenders, and advice to the Agent and his deputies.

"Gentlemen of Integrity and Ability will be employed by the associators and deputed by the Agent, whenever he may deem it expedient—one has been already spoken to—

"From this association the government will have every assistance and support it may become the one to offer, or the other to accept, and it cannot be doubted that the evils these wholesome laws are intended to remove, will very soon be entirely done away."

¹² "L., June 24th 1801.—To the Settlers of Luzern & Lycoming County who have Settled on Lands Contrary to the Laws of this State and since the 11th of April 1795, &c. Gentlemen I have come into these Parts of the Country in order to make it Convenient for you to Come forward and complay with the proposals made by the Land holders, for your own Safety and the publick Good in General.

"I would wish to inform you that I am your Real friend therefore have taken pains to have this don for you: now it Lays with you to Consider well and understand the True meaning of the declaration Presented to you for your signature; after which you will be entitled to your improvement, and prevent Suits being Brought against you, for which you will have Reference to a Letter signed by the Committee of the Landholders. I would also wish you to understand that this will answer me all the purposes of my appointment with them that do Complay, my instructions positively are to put the Law in force against all those that Remain obstinate—but signing the declaration will be Considered as a Complayance with the Law and will be a satisfaction to myself in behalf of Government; you may also depend that the Governor is your friend, and that the Landholders are disposed to sell you the Land upon Reasonable Terms & a Reasonable prize, but they cannot set a prize pr. Acre, for you all know that the Greater part of the Country is Very Rough and worth but Little, but having Reference to their own Letter you will find that they can ask you no more for the Land you have settled on then what they can get for the Rough Lands around you, as soon as you have Submitted you make yourself a Pennsylvania Possessor and become a Party, so that you have

among the raiders. A full account of this is among the Smiley¹³ papers in Tioga Point Museum.

The passage of the Intrusion Law had so inflamed Col. Franklin that, forgetting his promised allegiance to the State, he once more became actively aggressive, not only in speech and private letters, but he flooded the press with his writings. He openly maintained the validity of the Connecticut title on the plea of the right of soil. Although almost continuously in the Legislature, he violated his obligations, both as a member and as a citizen. Cooper, as commissioner, became so exasperated by him and his associates that he frankly wrote to Governor McKean, denouncing Franklin as dangerous, and saying that he "*would expel him out of the State the instant the township business was settled.*" Naturally, the supplement of 1801, with the appointment of Col. Horne, did not improve the situation. The following group of letters show the result of the "corrective legislation," as well as the agitation caused by Franklin and his friends at this period, and the attempt to quiet them:

"March 1801.—Richard Caton—Sir: Your letter rec'd. Is it not strange that the legislature should take so sudden a start on the subject of intrusion as to decline erecting a county district. I believe there was no reasonable occasion for it. The controversy is of ancient date. I believe there has been a period when the state, by adopting a liberal policy might easily have settled the dispute to the advantage of the public, and satisfaction of settlers. But, possibly by influence of interested individuals, cruel and offensive measures have been adopted. * * * I am told it is a truth easily proven, that at an early period of Connecticut settlement, the legislature of this state passed a law that any person settling under Connecticut title should suffer death!" After giving details of Wyoming troubles he continues: "The remembrance of these transactions have to this day a very powerful impression on the minds of those against whom they were exercised, as well as their posterity. Notwithstanding all this they have become a numerous people, industrious and persevering, who have from the beginning firmly believed in the equity of their title" (of which he then gives derivation, it being evident that he thought Richard Caton might not be well informed as to the Connecticut claim). After giving detail of Trenton decree, right of soil &c. he says "Does it not appear illiberal and wrong in the state to interfere in so pointed a manner? Though I hold some valuable property under both claims, I do not consider myself essentially interested in the result * * * But I have thought the claim of the people is founded *in equity*, and that they have been grossly abused and oppressed by government of this state. Would not the best

a Right to adobt some mate (mode) of Getting at the Value either by Chusing men between you and the Landholders or otherwise. Some to be sure may think that their Lands are worth more than what the are but as soon as you becom a party by the Landholders own Stipulation—if you cannot agree you must leave it to men. I hope none of you will persuade yourselves, as I hear some do, that the Landholders are sensible of the Connecticut Claim being of some Value, or els they would not want further abandonment to be made, for if I had not got this set on foot my agency would have obliged me to have Prosecuted every Setler emedeatly who had settled since the intrusion Law passed in 1795, so I hope that non will plaim me if the do suffer on account of their obstinacy.

"As it is impossible for me to atend to all this Buisniss myself without Assistance, I have inquired to my satisfaction into the Character of your Naibaur Mr. Thomas Smiley and hereby impower him to act for me with you in my stead as if I was Personly Present.

"It gives me great Pleasure to Hear by Mr. Smiley that you are genrerly disposed to offer yourselves to become Citizens of Pennsylvania, which may add to your being very Reasonably delt with by the Landholders—as to your getting good titles I again Refer you to the Landholders Letter—for the put it into your hands to stipulate for a good title, and not pay anything till you can satisfy yourselves - - for further particulars Aply to Mr. Thos. Smiley." * * * (The remainder of the letter or circular is torn off and lost; it is undoubtedly Col. Horne's original writing.)

¹³The "Smiley papers," several of which are in the Craft Collection, include Col. Horne's letters, Smiley's own copies of his deposition, etc. They were found by Mr. Craft under a table top in the house of the late C. L. Ward and given to him by the Ward heirs.

method of terminating the controversy be by some liberal act on the part of the state? * * * Or might not the titles in many instances be united to advantage; can measures too coercive have a desirable effect? You will take no offence at the freedom of my enquiries. I wish to entertain sentiments right and just. Having resided among Connecticut people, I may have imbibed erroneous ideas. It is probably in your power to inform me, a letter from you will give much satisfaction.

"With respect

"CLEMENT PAINE."

In March, 1801, Joseph Kingsbery wrote to John Jenkins concerning the Intrusion Law, which Jenkins called "the Swindling Act," saying:

"I believe we have as good a right to get together and pass laws against the Pennsylvania claimants, as they have to pass laws against us. We are pretty generally united in this quarter, a few scape goats excepted, led astray by a certain old ram, a fifty-two pounder."

He is very severe in this letter against Obadiah Gore, whom he denounces as "*one of those old office catchers, born Yankees, and deserters of their cause.*" In June he writes again:

"The Pennsylvania agent (commissioner) is at Loomises, picking up now and then a poor devil to abandon that Title which he never had. We have agreed on this side of river not to suffer them (Commissioners) to come into our homes or to oblige them with the least thing to support life; but entirely discard them as traitors unworthy to live among full blooded Yankees. One has already declared he can not live among such people, he shall quit the place & move into the state of New York. Old Chester (Bingham) seems to be the most sanguine. His spirit in the Yankee cause is full as large as his belly. Our greatest effort must be to keep united, &c. Your sincere friend, JOSEPH KINGSBERY."¹⁴

"Ulster 16 April 1801.—Col. Jenkins—Sir: Received yours of 13 inst—have consulted Cols. Franklin and Satterly on the subject of our Righteous cause * * * on Monday next they with Esq Murray (Noah) and some other true Yankees have agreed to meet at this place * * * Bingham has got your letter & is to be present with Simmons, Cash, and Tracy who seem to be gaining courage by the late *Terror Act*—the inconsistency, unconstitutionality and rascality of that act begins to open the eyes of some who were winking at duplicity. I cant see why we should tamely submit to such nefarious encroachments on the rights of man, on the rights of Yankees inherited from the oldest Proprietor,—I mean the great Architect of Heaven and Earth—Such passive conduct is beneath the spirit of Yankees. I wish the proprietors would meet and pass some resolves equally as pointed, observing propriety notwithstanding. It would sooner bring the matter to a focus—if we have got to fight, the sooner the better—this being continually in jeopardy is extremely disagreeable. You will hear from us after our meeting, in the mean time consider me a full blooded Yankee.

"JOSEPH KINGSBERY."¹⁵

According to Kingsbery's suggestion, the proprietors met May 22, 1801, at Springfield (now Wyalusing) "to consult and advise on the most safe, prudent, legal and constitutional method of defense against any suits pending or hereafter brought against settlers under the

¹⁴ It has been said that Col. Kingsbery turned against Franklin and "the Cause." But these letters are sufficient evidence in themselves to refute such an assertion. Obadiah Gore, weary of the strife, had acknowledged Pennsylvania's rights and was, therefore, in bad repute with his neighbors.

¹⁵ This letter enclosed 15 resolutions with reference to Intrusion Law, called "The Terror Act," which it was proposed to publish "to circulate our course and sentiment throughout Pennsylvania and the United States." They were indorsed as drawn by Jonas Ingham, and read in the meeting of the committee at Mr. Paine's office. Jonas Ingham, a settler near Wyalusing, wrote "after the repeal of the confirming law, the Pennsylvania title was little thought of, and there were frequent meetings at Tioga Point, at one of which I expressed myself with so much spirit that I was chosen director."¹⁶ He was sent to the Legislature in 1804 and exerted his efforts to have the obnoxious laws repealed.

Connecticut title." Various resolutions were passed; and ere long, reports having been spread of these, Franklin, Satterlee, Jenkins and Biles¹⁶ were indicted for conspiracy in opposing the Intrusion Law by granting townships under a pretended title. An arrest of judgment was the result. They were, however, brought to trial at Wilkes-Barré, May 4, 1802. According to the depositions of James Irwin, David Paine and others, Franklin and Satterlee had acknowledged that in laying out and granting townships after the passage of Intrusion Law, they had purposely *antedated* them. The story of this suit can best be told by extracts from a letter of Thomas Duncan to Edward Tilghman,¹⁷

¹⁶ Joseph Biles was surveyor of the Susquehanna Co. at this date.

¹⁷ Northumberland 8th May, 1802.—Dear Sir: Having a moment's leisure on my passage from Luzerne to Center I have appropriated it to giving you a short relation of the occurrences at Wilkesbarre. The indictment for Conspiracy vs. Franklin, Jenkins, Satterlee & Biles came on for trial on Tuesday. * * * The testimony on the part of the Prosecution being concluded, the Defendant's council did not then open their defence, but gave some Testimony not in any way material, & then addressed the Court on the Constitutionality of the Intrusion Act. The Court said they would hear them with great pleasure and patience on this question, but that no long speeches must be made on the part of the State. * * *

The objections to the Act on constitutional grounds were:

- "1. That this law was *ex post facto*.
2. That it was a law impairing contracts.
3. That it was an exercise of judicial power by the Legislature.
4. That it was the Violation of the Right of or over Property.
5. That it destroyed or impaired the Trial of the Right secured to persons claiming lands under different states in the Courts of the U. S.
6. That it was against the equality of Rights."

To this it was answered very briefly—that this was an offence at Common Law—an attack on the Sovereignty of the State. That long before the existence of the Susquehanna Company it was made an indictable offence by Act of Assembly to enter on Lands not under the authority of Pennsylvania not under a contract expressed or implied with the Proprietors.

That the right of Internal Regulation of self government and every other right, not expressly relinquished were reserved; that this Power was not given up.

That it was not a law impairing contracts, for here no contract had an existence. It was a law forbidding persons to conspire, to enter into contracts for the purpose of invading the Rights of the State. That it was an Exercise of Judicial Power was denied—every law regulating property—descents—Acts for Relief of Insolvent debtors—Limit: Acts—might as well be said to be Judicial Acts, & to impair contracts.

The objection principally relied on was that it impaired the Right to a Trial in the Courts of the U. S. That the right of Entry was taken away or suspended. To this it was answered that the Courts of the U. S. had no cognizance of the criminal law of the States—that there could be no appeal—that the party claiming land under a different state had his Right of trial secured to him in the Courts of the U. S., that this was not touched by this Law.

That if in possession before the passing of the Intrusion Act, the person claiming the land under Penn'a must bring his Ejectment that he might remove into the Courts of the U. S., that if he was not in possession he might seal a lease and proceed as in the case of a vacant possession, when he would obtain possession under the authority of the law & could not be punishable. That the Constitution of the U. S. granted the Trial of the Title. That this Act did not deprive the foreign claimant of this trial, but that the State in the Exercise of their Sovereign Power said—until it is decided that you have just Title we forbid you to enter and take possession of our Lands under a hostile Right.

These matters were barely stated to the Court. * * * I understood that Judge Breckenridge was wavering. This gave much uneasiness and alarm. On enquiring I found that distinct charges would be delivered by the Judges—but that both would declare the law to be constitutional.

Judge of my surprise, astonishment and dismay when Judge Breckenridge declared his decided opinion that the 1st section of the act was unconstitutional, that as to the 2nd. he had greater doubts, but inclined to the opinion that it likewise was contrary to the constitution—as it suspended the Right of Entry. Judge Yeates delivered his opinion that both were clearly constitutional, but left the matter to the jury to determine. B. expressly stated that the jury had the Right to judge of the constitutionality of any law though they ought to pay great respect to the opinion of the Judges. I gave up the matter as lost, satisfied as the Judges differed in opinion the Jury would not hesitate to pronounce the Defendants not guilty. * * * The jury remained out some time, returned and asked the opinion of the Court whether they were to judge and pronounce on the Constitutionality of the Law. I had before suggested to the Judges the propriety of a special verdict. This opportunity was seized by them to state to the Jury that tho' they might give a general verdict, yet under all circumstances it would be best in this case to have a special one. The jury withdrew and I drew up a special verdict in form, finding the facts as stated in the indictment. They shortly after returned, agreed to return a special verdict. I then delivered to them the special verdict, in a form which with hesitation they signed. This tho' accompanied with a division of the Judges seems to have made a strong impression on the half share men and exhibits the first proof of the determination of the People of the 17 Townships to support the Laws of the

which elicited from Tilghman to Judge Yeates a letter of protest and unbelief in the report of the Judge's decision. Miner, alluding to this, says:

"The matter slept, and the prosecution was lost sight of from the favorable progress of the compromise law and the rapid decline of the new claims under the Susquehanna and Delaware Companies."

In June, 1801, Tench Coxe wrote to Mr. Cooper that twenty men from "Tyoga" had applied to the land office in person, evidently without certificates, as Coxe wrote he had referred them to the commissioner, who was at Loomis's, just below town.

It having been thought necessary to see the records of the Susquehanna Company, application was made to Col. Franklin, who was reported to have them in his keeping,¹⁸ although doubt was expressed as to transactions of the later meetings, as the clerk (David Paine) was supposed not to have been sworn into office. Coxe claimed that the minutes submitted *were not the original*, although Franklin had agreed to produce them.¹⁹ Coxe also wrote:

"It appears to me that the 17 townships were confined to the old purchase of 1768 (meaning Penn's) and that the old town of Ulster was originally so laid, and that they afterwards carried it in part over the West side of Susquehannah in the purchase of 1785."

This is the only allusion found by author as to the location of Ulster *east* of the river, *but it is so located* on the map in the American Philosophical Society.

The correspondence of the commissioners at this time indicated that, until obtaining the minutes, they had not been fully aware of Franklin's continued opposition, and the hostile meetings after the Decree of Trenton. Now Cooper and associates wrote, suggesting to the Governor:

"The apprehension of Franklin, Spalding and another or two upon good ground would go near to terminate the dispute."

State. And to punish on proper proof every infraction of them. It likewise is the first solemn act of renunciation of the Connecticut claim and a declaration that it is a pretended title. The argument comes on before all the Judges to be assembled during the September term.

I hope it will be considered by the Penn'a Landholders as a most fortunate event, affording evidence that juries will carry those Laws into effect if they are deemed constitutional by the judges. For my own part I felt a relief from the unexpected issue. The mill stone that was weighing me down to the earth removed by the very manly and greatly to be applauded Integrity of the Jury. * * * Franklin and Jenkins are found guilty. Satterlee and Biles acquitted. For the verdict is a bare verdict of guilty, subject to the opinion of the Court whether it is an offence or not. They are bound over to appear at the next Circuit Court in large sums and to their good behavior.—THOS. DUNCAN.

¹⁸ The record books of the Susquehanna Company remained in the keeping of Colonel Franklin. About 30 years after his death they were found in the attic of his old home. Again they disappeared, and their whereabouts was generally unknown. A letter among the papers of Edward Herrick, Jr., revealed the fact that he had sent them in October, 1862, to the Connecticut Historical Society, *where they were entered and acknowledged as a gift from him*. The following year, at Mr. Herrick's instigation, D. W. Patterson, the eminent genealogist, sent to the same repository the index which had fallen into his hands. They were so little valued even then that they lay long unheeded in the shop of the Recording Secretary. Some years later Mr. Craft spent a month in Hartford, and made copious notes, to which we have had access. The Franklin heirs, through the Tioga Point Historical Society, made un-availing effort to obtain these volumes. They should be in Harrisburg in the Land Office.

¹⁹ As to the authenticity of the copy furnished Cooper makes this observation: "The Commissioners procured * * * from Col. John Franklin, the known clerk of the company, a copy of those rules and regulations from 1754 to 1786 attested by Mr. Gray, the former clerk, whose handwriting was known, and which bore evident marks of authenticity internally, and were officially transmitted by Col. Franklin, and acknowledged by the above mentioned gentleman, as the rules and regulations of the Susquehanna Company."

They divided the Connecticut claimants into four classes, placing in the first, Franklin and associates, classed as "principal supporters and speculators in Connt. title, by whom the spirit of actual opposition is perpetually kept up." They seemed to deplore the attempts of Col. Horne, praising the half-share people as for the most part a very orderly set, industrious cultivators, remarking that if they were driven off, the country would "become a desert, and a desert it would remain." Cooper and Coxé finally disagreed along these lines, as Coxé was absolutely intolerant toward the Connecticut settlers, and Cooper being in their midst, wisely saw that a policy of conciliation would be most effective. The following letter indicates the need:

"Athens July 15, 1801.—David Paine to Col. Jenkins,—Dear Friend: *Re-venge, malice, envy & hatred* still continue to reveal their tales of dishonor at me by inventing & propagating dark & sly insinuations derogatory to my character, by which means they hope to make me obnoxious to 'the powers that be.' I fear the times are near at hand when men's souls are to be more severely tried than they have ever yet been in the past. The 'furnace seems to be heating seven times hotter than it was wont to be heat.' Perhaps the Lord may look down with compassion upon the righteous and shield them as in times of old He did Shadrach, Meshach and Abednego.

"I regret the foolish transactions of a mob at Towanda. Conformity to law is necessary."

This alludes to the attack on Rev. Thomas Smiley.

In August, 1801, the proprietors of the Susquehanna Company were notified that a meeting would be held "in Athens on Tioga Point" October 20, at the dwelling house of Stephen Tuttle, Jr., publication being requested in New England and New York. A number of the proprietors met, and notice was given of adjournment for two days to accommodate Luzerne proprietors, who were evidently doubtful or tardy. On the 22d they met again and appointed a committee to arrange and prepare business to be acted upon, and adjourned one day. October 23 met pursuant to adjournment. The resolutions passed²⁰ show a strong inclination to end the controversy, and a committee of five were appointed to attempt a compromise with Pennsylvania claimants; but, if they were unsuccessful, another resolution showed all ready to defend their claims. In Mr. Craft's notes are found further resolutions *not published* in the Archives, also an account of a meeting the ensuing year, as follows:

"Resolved that the Sus. Co. do hereby strongly recommend to the Proprietors of the Delaware purchase to unite with us in bringing into effect an amicable compromise, or in defending the title and claim to the lands aforesaid.

"Resolved that the Commissioners of this Co. be and they are hereby directed to make an estimate of the sum of money that may be necessary to be collected from the Co. for the purpose of carrying the foregoing resolutions fully into effect, and to proportion the same amongst the proprietors and settlers in the several twps. as well as amongst the non-resident Proprietors in proportion to the property they respectively claim in the lands and to appoint such suitable persons as they shall judge proper to collect the same to be paid over to the Treasurer of this Co.—Resolved that the standing Committee of the Co. afore sd be & they are hereby directed to audit and settle all accts. with any monies or property of this Co., or who may have any demand or unsettled accts vs. this Co.—Resolved that the foregoing Res's be signed by Chairman & Clerk & published in the public papers printed in Wilkes-Barre. Res. that this meeting be adjourned

²⁰ Pp. 121 and 122, Penn. Archives, 2nd series, Vol. XVIII.

to the 2nd Monday in May 1802 at 10-o'clock A. M. to be held at the dwelling house of Maj. Elisha Matthewson in Athens on Tioga Pt., and that the clerk of this Co. give notice thereof in one or more of the public papers in the states of Pa., N. Y., Ct., Mass., R. I., N. H. and Vt. at least 6 weeks previous to the time of sd. Meeting.

"Truly recorded, attest, JOHN FRANKLIN, Clerk."

"At a meeting of Sus. Co. held by adj't. May 17, 1802 Saml Avery Chairman J. Franklin clerk, adj'd until to-morrow 10 A. M.—Met the 18 & adj'd until to-morrow, May 19 Met pursuant to ag't.—The commissioners, appointed by the Co. 22nd of Oct last to treat with Commissioners or agts. of Pa. land claimants, to receive or make propositions in behalf of Sus. Co. Report. That in pursuance of their appointment & instructions they addressed the Com. of Pa. landholding as follows:

"Athens, 24th October—1801.—Gentlemen: Having been advised that the Pennsylvania Land holders were disposed to offer an easy compromise to the Settlers in Luzerne, claiming Lands under the Connecticut title—And that the Committee on the part of said Land holders had expressed a wish 'that the Claimants under Connecticut in a general meeting for that purpose constitute and empower Commissioners to treat with them on the proposed accommodation.' In pursuance thereto notice has been given and a general meeting of the Connecticut Susquehanna Company of purchasers and Settlers has been convened and held the present week in this village, and the proposed accommodation taken under consideration and the undersigned appointed commissioners on the part of the Company and Settlers, with instructions and power to treat with Commissioners or Agents that are or may be appointed and properly authorized on the part of the Pennsylvania Claimants, to receive and make propositions and to endeavor to bring into effect a reconciliation of the contested Claim by an amicable Compromise.

"Having an ardent desire on our part to prevent Litigation, to put an end to a contest that has been of long duration, and to promote and cultivate peace and harmony with our fellow citizens. We the undersigned take the earliest opportunity to advertise our appointment, and to inform you that we are ready, on our part to open a Conference on that subject, to receive propositions respecting the mode of proceeding and to receive consider of and answer any propositions that may be made on our part which may have a tendency to bring about a reconciliation of the contested titles. We would however, suggest as a preliminary in this business that no manner of advantage shall be taken against either party in any future mode of settling the controversy in consequence of any propositions that shall be made for an accommodation provided that our attempts to compromise should prove unsuccessful. * * *

"We are gentlemen with due respect, your most obedient and humble servants.

JOHN FRANKLIN.
SAMUEL AVERY.
JOHN JENKINS.
EZEKIEL HYDE.
SAMUEL BALDWIN.

"To the Gentlemen Committee of Pennsylvania Land Holders."

No response to this is found; probably it was ignored.

January, 1802, David Paine writes:

"The Governor as usual in addressing legislature recommends strenuous proceedings against the Yankees of Luzerne."²¹

This serious prospect did not seem to dismay the young people of Tioga Point, who David writes, "are preparing for a general fandango at the Doctor's Hotle." A later letter tells "we had a general collection of the boys and girls of our neighborhood 30 or 40 couples at Doctor's

²¹ Gov. McKean's message was very forceful, one passage being as follows: "The encroachments upon the soil & sovereignty of Pennsylvania in that quarter continue to afford cause for indignation and alarm. Should the judicial authority be defeated in its legitimate endeavors to punish the delinquent intruders and protect the rights of property; I shall rely implicitly upon your support," etc.

Hotle, had one of our right old fandango's, and passed the eve in social glee."

A law was now passed "against Yankees sitting as jurymen to try Yankees on intrusion law." Many suits of ejectment were instituted, and in April Stephen Tuttle reports, "All the Yankees are going to court to meet their fate."

He quotes from the answer of the House of Representatives to the Governor's speech:

"We hear with indignation and regret that repeated efforts made to prevent encroachments on the soil and sovereignty of Pennsylvania have not produced the desired effect. We agree with you that the fame and honor of the government have been too long violated and insulted by the lawless and arrogant combinations of Conn't Intruders, and should the judicial authority be defeated, * * * you may rely on our support in the decisive measures which it will be your duty to pursue."

David Paine's comment is:

"This is the work of Democrats, the supreme court have pronounced the Intrusion Law Constitutional. * * * I am not at all surprised that the *Demo's* hold up their heads so bravely. The late importation of so many Paddas who well understand the use of the *shalaly*, the acquisition of the sober, moral and religious F— P— the bosom friend of the President, who by his letters to the public has done the cause he espouses so much credit, must be matters of real gratification and encouragement to the adherents of the cause (Democratic) you have espoused. But remember *you rise to fall again* and that shortly. The term Federalist, agreeable to my construction and application of the word, means a firm steady friend and supporter of the Government of the United States, agreeable to the Constitution—not the offspring of the old tory party, but the true patriots of '76, (and their descendants) who fought and bled in the cause of liberty. I have none of these people 'cowed down' for they are assured the Lord never forsaketh the righteous."

While these last observations do not pertain to Tioga Point history, they seem of such general historical value that we cannot forbear inserting them as the observations of an intelligent man of that period. Watching the legislative proceedings closely, a month later, he wrote:

"There is yet a great deal said about the wild Yankees and a *mighty fuss* as usual at Lancaster. 'Tis said the Gov'r has ordered out 2000 militia who are to march in the spring, and put an end to this business—fudge—"

In spite of the emphatic "fudge," causes for disquietude at the Point are here easily apparent.

The applications of the inhabitants of Athens and Ulster were now under Cooper's observation. Among the Herrick papers was found a letter from Cooper to Obadiah Gore and Elijah Buck, from which extracts are given:

"Gentlemen, I have perused and considered depositions respecting the grants of Township of Ulster, and the documents accompanying them, and have compared them with the original (grant) obtained from Col. John Franklin. I am fully persuaded, not only from depositions, but from other circumstances, that you and the claimants of Ulster have suffered, and are likely to suffer from an adherence to the laws and jurisdictions of Pennsylvania. Indeed I regard applicants from this township peculiarly entitled to consideration, * * * and recommend a petition to next session. * * * But I can not conceive myself authorized to establish the Grant of the Township of Ulster. Not the first, because it seems to have been abandoned voluntarily, however praiseworthy the

motive. Altho' it appears to have been settled within the Bounds of the location,²² agreeably to the Spirit and Equity, if not within the letter of the rules and regulations of the Susque'a Co. Not the *Second*, or *Third*, because the lands herein granted, were granted and settled *after* the decree of Trenton. No pretence of mistake could exist after that time, nor can I bring these grants within act of 1799. I sincerely wish the circumstances would have authorized me to do so."²³

It will be observed that Athens or Tioga Point is not mentioned, and it is evident that the inhabitants of Athens all applied under *first grant* of Ulster. But all the applications were rejected, as shown in the following extracts from Cooper's report to the Governor in October, 1802. The whole of this report is interesting as bearing on Athens history:

"The Townships of Bedford and Ulster were not able to make out a title to my satisfaction, under the Susque'a Company, and the law of 1799. I rejected therefore, every applicant within those Townships. The case of Ulster I was very sorry for, as the applicants deserve far more for their Submission to the terms of the Law of 1799 than in any other Township. Ulster is the very focus of opposition, and the applicants have had to encounter much rancour and ridicule from their opponents. * * * In that Township, and there alone will opposition arise, if at all. * * *

"* * * I cannot be far wrong, when I state the utmost force of the wild Yankees, as they are called, at 200 men. These are for the most part poor and ignorant, but industrious Settlers, thinly scattered over a wild country, incited and misled by about a half dozen Leaders, living chiefly in the Township of Ulster, viz: Franklin, Satterlee, Spalding, Bingham, Flower, Kingsbury, John Jenkins of Exeter, and Ezekiel Hyde. In fact all of the active opposition is confined to 3 or 4 miles above and so much below Tioga Point, and about a dozen miles East and West of it. * * * I mention all this because I lived in the heart of the opposition. * * * Our success alarmed the Half Share men, they held two meetings * * * It is my opinion if violent measures are adopted now force will be necessary, wait a twelve month, and it will not be so. The party is splitting and the breach will not close. * * *

"Indeed I know of no way of making the County of Luzerne permanently useful to the State but by encouraging New England Settlers under the Pennsylvania title. The Pennsylvanians will never settle such a country. The Philad'a Land holders who are infatuated as to the value of the Lands, may induce the Legislature to make the Country a desert & keep it so; but less time, less trouble, less Expence w'd make it a Garden. Yet if measures of conciliation do not produce the Effect within a 12 mo., better it were that the Country should be a Desert than a continual hot bed of lawless opposition and Insurrection." Pp. 487-492 Pa. Archives 2 series Vol. XVIII History of Ulster herewith submitted.²⁴

²² The location here mentioned was entirely west of the river, as shown in Cooper's annexed History of Ulster, taken from Archives.

²³ Cooper's requirements were, 1st, Application for township to committee authorized to grant townships; 2nd, Location; 3rd, List of applicants; 4th, List of settlers, and evidence on oath of their settlement in sufficient number; 5th, The survey of the township; 6th, The draught of the lots.

²⁴ In accordance with Thos. Cooper's suggestion, during the session of 1802-3 Rosewell Welles presented to the Legislature a petition of inhabitants of Ulster township, *accompanied by documents*, stating their desire of conforming to the law of 1799, that they had presented their claims, etc., which, for reasons stated by Mr. Cooper, had not been acknowledged; they therefore prayed to be admitted to the benefit of the Law. Referred to "Committee on Wyoming Controversy," who reported adversely, and petition and documents were withdrawn (see Journal H. R., 1802 and 1803, p. 63). One petition or application presented by residents in final grant of Ulster, called the people on Tioga Point "a hostile party, who had crowded them out," which referred to the third grant, asked for by Athens settlers.

History of the Township of Ulster

September 22, 1802.—Before me, Thomas Cooper, Esqr., Commissioner under the Act of April 4, 1799, "for offering compensation to the Pennsylvania claimants of Lands within the seventeen Townships in the County of Luzerne, and for other purposes therein mentioned," personally appeared Obediah Gore, Esq., associate Judge of the Court of Common Pleas of the said county, and Elijah Buck, Esquire, of Tioga County, in the State of New York, who upon their oaths do severally depose and say, that on the 28th of August, 1775, on the application of persons (proprietors in what was called the Susquehanna Company) whose names are mentioned in the Document A and B hereto annexed, a grant was regularly made according to the rules and regulations of the said Company for a Township containing 25 Square miles, called "Ulster," located on the west side of the north east branch of the River Susquehanna, a true copy whereof is hereto annexed in the Document C. That the war breaking out soon afterwards with the British and Indians, no effectual settlement was made in the said Township under the said Grant of 1775, the generality of the proprietors and settlers, claimants under the said Grant of 1775 being called to the common defence of Wyoming and the Neighborhood, or having joined the army of the United States.

That on the close of the war, and during the fall of 1784, and the Spring of 1785, these deponents, together with upwards of thirty persons settled and resided within the Township of "Ulster," as located in the said Grant of 1775, and being weary of the contest of Pennsylvania respecting the Susquehanna Company's claim, and desirous of living in peace and conformably to the Laws of the State in which they were placed by the decision at Trenton, they, with the generality of the proprietors and settlers aforesaid, were and have continued supporters of the jurisdiction of Pennsylvania.

That the sentiments of the undersigned Deponents and others, settlers in the old town of "Ulster," being commonly known, they were violently opposed on many occasions, and their Interests thwarted by many leading proprietors in the Susquehanna Company then and now resident in the County of Luzerne, and who were and have continued, universally hostile to the pretensions of Pennsylvania, in respect of the Susquehanna purchase, and opposers of every plan to compromise, hitherto held out under the authority of the State.

That being overpowered by the numbers of their opponents in the Susquehanna purchase, and unwilling to embark in any further contention and dispute, the undersigned, with other settlers of the old town of "Ulster," acquiesced in the claims of an interfering Township, laid out by and under the patronage of their opponents of the description aforesaid, under the name of Athens, still existing and settled as a half share Township, and not recognized as one of the 17 Townships in the County of Luzerne under the Act of April 4, 1799, or the supplement thereto. In lieu, therefore, of the old town of "Ulster," *which was entirely on the west side of the river* (North East branch of the Susquehanna), these deponents and other claimants in said township acquiesced and accepted a new Grant of a Township of "Ulster," the Northern bounds whereof commenced at the South part of Tioga Point, and extended on both sides of the River Susquehanna; a copy of this second Grant, so far as it remains perfect, is contained in the annexed document D.

Document E. is a list of the proprietors applying for the said Grant in conformity to the rules and regulations of the Susquehanna Company.

The boundaries of the Town of "Ulster," according to the location of the 2nd Grant, were not yet agreeable to the claimants and settlers of the town of Athens, who, having the guidance of the affairs of the Susquehanna Company entirely among themselves and their adherents, insisted that the town of "Ulster" should be placed still lower down the river, and this was again consented to by the undersigned deponents and other settlers in "Ulster," and a 3rd Grant was accepted in the year 1786, a copy whereof is contained in Document F.

Of the Old Town of "Ulster" no regular survey was ever made, owing to the circumstances of the War immediately succeeding the original Grant, nor was any survey completed under the second location, as the third was granted about 9 months only after the second.

A copy of the survey under the 3rd Grant is herewith presented, being Document G.²⁵ If the old location of "Ulster," under the Grant of 1775 be established, it will include but few comparatively of the applicants under the law of April 4, 1799. The second will include all those who have applied under the said law. (Obediah Gore, Elijah Buck.)

The last grant was regularly surveyed and allotted, and the lots distributed among the proprietors of the township.

As Ulster was included in the purchase of 1784, we find no Pennsylvania surveys prior to that date. The title however, was vested in Charles Carroll, and in Pickering, Hodgdon and Company, whose agent, Thomas Overton, sold to the settlers after it was decided by the Commissioners that Ulster could not be embraced in the Compromise law.

In 1802 and 1803, according to David Paine's letters, a strange epidemic, called the "Sheshequin fever," swept over the territory from the State line to Wysox and "baffled the art of our *great* Physician Dr. H." November, 1801, Dr. Hopkins having raised an abundance of produce, concluded to dispose of the surplus by tavernkeeping, and took out a license: "'Tis very still times among us, no dancing, no

²⁵ Document A.—A list of the proprietors of the Township of Mr. Asael Buck, Agent, August 28, 1775.

Catharine Draper,	½ share,	1	right certified by receipts.
Elijah Phelps,	"	2	"
Jonathan Buck,	"	1	by certificate
Lockwood Smith,	"	1	do.
Thomas Millard,	" do.	1	do. by receipt
Aholiab Buck,	" do.	1	do. by certificate
Jos. Easton,	" do.	1	do.
Elijah Buck,	" do.	1	do.
Daniel Kellogg,	1 do.	2	do.
Abraham Brockaw,	½ do.	1	do. by receipt.

N. B.—On another List Exhibited (evidently B), the following names appear to have been added:

Stephen Shepard,	½ share,	1
Joseph Spalding,	" do.	1
William Buck,	2½ do.	5
Obadiah Gore,	½ do.	1
M. Hollenback,	½ do.	1
J. Jenkins requests the favour of being admitted.		
Asael Buck,	1 do.	2
Thomas McClure,	1 do.	2

Document E.—List of proprietors for Ulster, July 21, 1786:

Capt. Simon Spalding, Capt. Thomas Baldwin, Obadiah Gore, William Buck, Elijah Buck, Henry Baldwin, Joseph Kinney, Joseph Kinney Jr., Capt. Joseph Spalding, John Spalding, Reuben Fuller, Widow Hannah Gore, Samuel Gore, Abraham Brockaw, Avery Gore, Capt. Joseph Eaton, Capt. Joshua Dunlap, Lockwood Smith, Heirs of Aholiab Buck, John Shepard, Stephen Shepard, Col. Nathan Denison, Joshua Jewel, Hugh Forsman, Isaac Baldwin, Chester Bingham, Adriel Simons, Nehemiah DeFries, Abner Kelly, Benjamin Clark, Maj. William Judd, Capt. Timothy Hosmer, Silas Gore's heirs, Asa Gore's heirs, Zerah Beach, Lebbeus Hammond, Benjamin Bailey, Laurence & Sarah Myers.

Documents C and D, evidently surveys, have not been found. The following list of proprietors of Ulster is evidently of second grant, to wit: Elisha Satterlee, Stephen Hopkins, Uriah Stephens, Oliver Bigalow, Lockwood Smith, William Buck, Elijah Buck, John Franklin, Benjamin Allen, Thomas McClure, Elisha Matthewson, John Patrick, Matthias Hollenback, Abel Yarrington, John Jenkins, Christopher Hurlbut, William Jones, Benjamin Smith, Nathan Carey, — Hageman, John McKinstrey, Ishmael Bennett, Asahel Buck, Thomas Duane.

Document F.—Pursuant to a vote of the Susquehanna company, appointing a committee to grant townships to such proprietors as appear authorized to take up the same, I have, with the leave and approbation of said committee, located and surveyed a town on the North branch of the Susquehanna River, beginning on the West side of the Susquehanna River, opposite the head of an island, about three-fourths of a mile below the Junction of the Tioga and Susquehanna, thence West two (2) miles to a corner, thence South five (5) miles, thence East five (5) miles, thence North five (5) miles, thence West three (3) miles to the place of beginning, which survey is made at the request of Capt. Simon Spalding, Lieut. William Buck, and others, a list of whom is herewith delivered to the committee aforesaid.

(Signed) OBADIAH GORE, Agent.

The above survey of a township called and known by the name of Ulster is accepted and approved by us, the subscribers, to be and belong to the said Simon Spalding etc. etc. and others—their associates, as part of their general rights in the Susquehanna company's purchase and the same is hereby granted and confirmed to them, their heirs and assigns, agreeable to the votes of the Susquehanna Company. In testimony whereof, we have signed these presents this 21st day of July A. D. 1786.—ZEBULON BUTLER—JOHN FRANKLIN (Committee).

social parties, Prentice gone to court, Ross in the dumps, Henry Welles the only cheerful lad about the streets." Nevertheless, Stephen Tuttle reported a horse race in November, 1802. Shortly after this, David consoled himself by marrying Miss Phoebe Lindsley, and straightway became intensely domestic and devoted to horticulture. He sold his half of their house to Clement, and purchased the property now owned by C. S. Maurice, which he laid out in lawns and gardens. He built a "neat cottage," which stood until 1875. In January he wrote of continued sickness and death "in consequence of our uncommon fever; that the 'Doctor's Hotel' was very popular, that a number of families were moving over the State line to obtain good titles, that the land business was uncertain, and he *calculated to establish a nail factory.*" In April he reported:

"Fifteen Yankees condemned in last Court for a riot; to 3 months imprisonment, fine & costs, a heavy amount. (These must have been 'Wild Yankees.') Brother Hopkins dashes away in his Tavern. Neighbor Pratt has purchased patent rights, a new invented mode of distilling, and is gone a speculating."

Again, on December 6, 1802, the Pennsylvania Landholders are addressed by Franklin and Avery, who stated they had been appointed by the President and Board of Directors to meet a committee for compromise. After submitting the letter to the Governor, the Landholders declined to meet them.

"February 14, 1803, some delegates of the settlers of Luzerne convened at Wyalusing for the sake of peace." Franklin was at this time in the Legislature, where much pressure (called "imprudent" by Cooper) was brought to bear upon him. Doubtless this meeting, *known to us first from Mr. Craft's notes*,²⁶ was due to a conference or conversation with Cooper as per appended letter,²⁷ published in *Luzerne Federalist* April 4. The committee appointed at this meeting once more addressed a letter, proposing compromise:

"Ulster, Feb. 23, 1803.—To the Penna. Land Claimants—Gentlemen: The undersigned transmit you by the hand of James Ralston Esq. the propositions of the settlers in the county of Luzerne, claiming land under title derived from the State of Connecticut, for a settlement of the dispute which has so long un-

²⁶ A full account of this meeting may be found in Mss., Vol. II, Connecticut Claims, pp. 4-9, in the library of the Historical Society of Pennsylvania, where also may be found the letters to and from Dr. Rose hereinafter quoted.

²⁷ Letter from Cooper to a friend in Wilkes-Barré:

Lancaster, March 20, 1803.—Dear Sir: In a conversation with Col. Franklin at which Mr. (Rosewell?) Welles was present, I stated to him that Mr. Catlin and others had requested I would lend assistance in promoting the proposals many times mentioned to me on behalf of the settlers, of purchasing of the Penna. landholders their lands on a valuation to be fixed by arbitrators mutually appointed, who shd. decide sum to be pd. quantity to be purchased, and periods of instalment. Or, if the landholders rather choose to pay for the improvements made by the actual settlers, that the arbitrators shd. fix their value, and, on payment made by Penna. landholders, the settlers shd. go off peaceably. Whether such proposals wd. be acceded to by the Pa. land-owners I know not; but for the peace of the country they ought to be made without delay by the settlers, they ought to be drawn up & signed in every twp. by such half-share holders as approve them, and then published with the signatures in the public newspaper. All I can do to give time to this before a force is sent up I shall do. I most sincerely deprecate the employment of the military while there is a prospect of amicable settlement.—But the half-share holders must not deceive themselves. Unless the proposals made by them are such as carry fairness on the face, and go at once to a settlement of the whole contest, this summer will not pass over without their having to contend with a body of men now contemplated at 2000. For my own part I shall advise peace till our twp. business is settled, and to give some time for the people to reflect on their own situation,—but there is no time to be lost. Nothing short of this will be effectual. Make use of this advice & information in the best way you can for the common good of the country. The House of Representatives are growing quite weary of this business, and the settlers will be mistaken, if they think they can dally on as heretofore. Yours, THOMAS COOPER.

happily been in agitation. The settlers wish you to lay them before the land-claimants at large, and hope their answer will be such as will terminate the dispute. We deem them sufficiently explicit; but if you think they require a more particular explanation, you will be pleased to direct your communications to the subscribers, to be left at the P. O. in Sheshequin, and due attention shall be paid thereto.

"From, Gentlemen, your most obedient & Humble Servts.,

"SAMUEL AVERY
JOSEPH KINGSBERRY
JOHN SPALDING

"Agents for the Settlers."

"We, the delegates of the settlers in the county of Luzerne settled under a title as derived from the state of Connecticut, in a meeting convened at the house of Daniel Sterling in Wyalusing, on Monday the 14th of February 1803, for the sake of peace, and to promote an amicable settlement of the long & unhappy dispute subsisting between us the Connecticut claimants aforesaid, & the Penna. land-claimants, do agree the matter may be settled in or by either of the following propositions:

"FIRST, Provided no advantage will be taken in any after mode of trial, if anything we offer should not be accepted, we will agree to pay the Pa. land claimants who have had patents from the State that cover our lands, the purchase money for all the lands we claim under title as derived from the State of Ct., i. e., the state price, & also the interest from the time the interest was paid or became due to the State, with an addition of 4% on the principal, together with reasonable expenses for surveying fees, & refund back to the Penna. land-claimants aforesaid, all the taxes they have pd. on sd. lands. The payments to be made in 5 equal annual instalments, the first in not less than 2 years from the time the agreement may be entered into between the parties.

"SECOND: We will agree to refer the controversy to a court of disinterested commissioners, not less than 7 to be appointed by mutual consent of the parties: or otherwise for each party to nominate 7, the judges of the Supreme Court of the U. S. to nominate 7; each party to strike off one, until the whole number is reduced to 7; who shall compose the Court, and shall have power to hear and determine the controversy, taking into consideration the various circumstances, & to decide what ought to be done; such decision to be final and conclusive; or—

"THIRD: We will agree to unite with the Penna. land-claimants in an application to the Congress of the U. S. for a law authorizing the Judges of the Supreme Court of the U. S. to change the venire in the trials of causes between citizens of the same state, claiming lands under grants of a different state, into some other than those in which the land in controversy is claimed. Or otherwise, that the Pa. land-claimants unite with us in an application to the Legislature of this state for their aid and interposition in obtaining of the Legislature of the U. S. for the purpose aforesaid, that a trial may be had before a disinterested jury.

"RESOLVED, that the foregoing proposals be sent to the Pa. land-claimants for their consideration and answer on the subject, & that Messrs. Samuel Avery, Joseph Kingsbery & John Spalding be & they are hereby appointed agents to do & transact all the business relative to the propositions aforesaid, in way and manner as they may deem most expedient.

"Signed: DANIEL KINNEY, Chairman²⁸
JOSEPH KINGSBERRY, Clerk.

"Wyalusing, Feb. 15, 1803."

This letter seems to have been sent about the same time.

²⁸ Gentlemen, Anxious to promote the prosperity of the Country in which we live, and of the Commonwealth to which we belong, we have recently addressed the Connecticut Settlers out of the Seventeen Townships, and have endeavoured to impress on their minds the expediency and necessity of terminating the existing Dispute by purchasing their Lands of the Pennsylvania Claimants. In that address we pledged ourselves to use all our influence and exertions in assisting the Settlers to obtain their Lands on the most reasonable terms. In conformity to that assurance we now solicit your attention for a few moments, and hope that the reasons above suggested will operate as an apology for our troubling you on this occasion, and save us from the imputation of officious interference. We particular request that the Interference may not be considered as evidential of a disposition to encourage any opposition

Their proposals were declined with scorn in a private letter, ending:

"We cannot in any way expressly or impliedly agree to any propositions respecting a title supposed to be derived directly or indirectly from the State of Connecticut."

In response to both of these a *public letter* was printed in the *Luzerne Federalist* for March 21, for all the world to read, as follows:

"Phila, March 8, 1803—Gentlemen: We rec'd your favor of 26 Feb. enclosing yr. address to the Penn'a landholders from a number of gentlemen in the county of Luzerne & within the old townships.

"We by no means impute to the signers of that address any officious interference; on the contrary we cannot but be gratified by your frank and unqualified declaration 'that whenever an opposition to the laws of the commonwealth shall exist, you will feel it your duty as citizens of the state, and as friends to order, to meet it with united and strenuous disapprobation.'

"Be assured gentlemen that the Pennsylvania claimants are disposed to sell lands on reasonable terms, that they are not inclined to reap the fruit of any man's labor, and feel a disposition to contract with those, who from whatever motive are seated on their lands. (So said) in letter of May 18, 1801 to E. Bowman which has been made public.

"Our sentiments as committee & landholders generally are the same. We wish the Penn. landholder & the actual settler could get together, & lament that settlers did not long ago act for themselves & purchase which was certainly incumbent on them to do, as readiest means of obtaining favor of government.* * *

"Should the settlers fear arrest if they go to Phila to purchase, we declare, if they really mean to purchase they will not be molested by Penn. landholders or government. But while we assure you of our disposition to sell lands on reasonable terms to actual settlers, understand clearly, it is not as a compromise or acknowledgement of title derived directly or indirectly from Conn. *We know that no such title does exist*, and as citizens of Pennsylvania, cannot admit it to be brought into consideration. * * * *Actual* settlers ought to come forward & show desire to purchase. They may easily find the owner under Pa. Until they find, & purchase from him they can never expect to live in peace and security.

"We heartily wish your good dispositions may be attended to, & yr neighbors wld. deliberately weigh yr. good advice & warnings immediately, for in a short time they may be useless. "We are with great respect

EDWARD TILGHMAN
SAMUEL HODGDON."

to the laws of Pennsylvania. Whenever such an opposition may exist, we shall feel it to be our duty as citizens of Pennsylvania, and as friends of Order, to meet it with our united and strenuous disapprobation.

We address you in favor of the Actual Settlers on the disputed Lands,—Men who have generally expended their all for the purpose of removing into that country; who have settled there under the influence of a conscientious belief in the equity of their claim; who by the efforts of unwearied Industry have converted the rugged wilderness into comfortable abodes for themselves and families, and who by their Industry have not only improved their individual possessions, but have also rendered the neighboring wild lands of much more value. Under these considerations we confidently hope, that Humanity and benevolence as well as the suggestions of Interest will induce you to deal generously with these People, and to quiet them in their possessions on terms that will not dishearten but encourage Industry. Should you adopt such liberal measures for the determination of the dispute, you would change the settlers from being determined Enemies to cordial and useful friends; not only would the price of the wild lands be greatly enhanced, but they would find a more ready market, from the rapid influx of industrious and respectable Settlers from the adjacent States. On the other hand should the Dispute continue to rage, and the Settlers be finally expelled by arms, or the rigors of the Law, the Country would be again reduced to a Wilderness, and half a Century would probably elapse before it would regain its present state of Improvement. In the meantime the lands would be productive of nothing but expense, and the respectable emigrant from the neighboring States would avoid the Country as a land devoted to litigation and bloodshed.

Believing that a disposition to purchase on reasonable terms is now generally prevalent among the Actual Settlers, which if properly encouraged might soon ripen into a Compromise beneficial to all parties, we have taken the liberty to offer to you the above suggestions; hereby assuring you of our sincere co-operation in any reasonable measures that your wisdom may suggest for the termination of the unhappy dispute.—NATHAN WALKER, TIMOTHY BEEBE, THOMAS WRIGHT, JESSE FELL.

Probably the following was in connection with this correspondence sent by a member of Legislature to a friend in Luzerne:

"Lancaster, March 21. Sir, The following was put into my hands by Mr. Cooper this A. M.—'Sir, Mr. Ralston and I called yesterday on the governor, and on the Wyoming dispute represented to him that if the commissioners were not interfered with by legislative interruption,—there was great probability that not only the dispute within 17 twps. would be settled in the course of the year, but that the half share settlers would gladly come forward with reasonable proposals, and throw off the few speculators who have hitherto misled them. The Governor declared that he much doubted whether this would be the case; that the people of the country deceived us, that they've done nothing yet to evince such a disposition; that he should be very glad to find the case as we stated it, but that the dispute *should be settled this summer*; that he would no longer permit the rights of the state to be settled by those Intruders, but that on the first day of June next he would send a force there of at least 2000 men. This was the material substance of the conversation which you should know, that the people of your country may know their real situation and act accordingly.'—

"THOS. COOPER."

June came and went, and, fortunately for the half-share men, the Governor did not carry out his threat. In July, finding that the work at Wilkes-Barré required full attention, Dr. Rose was sent to Tioga Point as agent of the commissioner. Mr. Cooper instructed him to go first to Judge Gore (Obadiah), saying:

"Who, tho' certainly a former friend to the Connt. claim, holding ostensibly under it, and tho' on many occasions he has trimmed between the two parties, is anxious to have an end put to the controversy, and to have title of this state predominant, as also his son-in-law Capt. Cash; but, another son-in-law Col. Spalding (John) is among the most inveterate opposers of Pa. title. Between Gore's and Tioga, and a little above live the Spaldings, Satterlees, Kingsburys, Franklin, and all the most violent of the half share party. * * *"

"The omissions of Supreme Court of this year are a victory for half share men; they think the Judges are afraid of determining as to Territorial Law etc., and it will send Franklin again into the Assembly. * * * At Tioga Point put up at Stephen Tuttle's, he is of no side. Go with my note to Mr. Welles (George) on whose good sense and good intentions you may implicitly rely; he knows all these people and their movements better than any man not of party, he lives among them. * * * About two miles from Tioga is a Mr. Loomis on old Sheshequin flats who bought Penna. title from George Lattimore, Saml. Pleasants or both, who has the best improvements there, and who sets his half share neighbors at defiance. I regret that I was compelled to reject the twp. of Ulster, and that the Legislature did not grant it, for it would have made a schism among the leaders of half share men, and in the *very focus* of all their opposition."

Having arrived at the Point, Dr. Rose wrote voluminous letters, most of which were addressed to S. Hodgdon, Chairman of the Pennsylvania Landholders' Committee, who had made Rose agent for their lands. August 10 there was a meeting of half-share men at Joseph Ballard's, of which Rose writes the next day:

"A town meeting held on Sugar Creek, at which the Connecticut Committee Kingsbery, Spalding and Satterlee were present. Whisky flowed freely and the meeting became very tumultuous. Those present passed a vote that they considered their title as holy as the God of nature could make it and that they would stand or fall by it, with much more of the same sort. At last when too drunk to know what they were about, they wrote me an amusing letter, closing by begging me not to lose my temper over it." (Sept. 17 he writes) "On Sugar Creek, and in Old and New Sheshequin, where we have met so much opposition, and which, *especially* the latter, may be considered as the nest of the speculators, I recommend resurveys of land, but probably not possible without violence or blood shed."

The following year he had a surveyor working in Sheshequin and opposite Tioga Point, but without being able to discover either boundary or corner. Zephon Flower at this period decided it was more profitable to affiliate with the Pennsylvania people. He became surveyor for Rose and different agents, and naturally incurred the odium of his Connecticut friends. They shaved his horse's mane and tail, shot at him from ambush, and threatened violence again and again; but he was never injured, and his notes and surveys are among the most reliable records.

Rose made this plaint:

"I do not know the reason, but Pennsylvanians who have been among the Intruders appear to turn no small bias to their side."

In November, 1803, Cooper wrote to Rose from Wilkes-Barré, regretting that Supreme Court had not sat there, as "*their omission gives strength and credit to the Half share men, who would feel the weight of a decision against the delinquents;*" alluding to the indictments against Franklin and Jenkins, which he "hopes will hold water." Also says the most effectual way of getting rid of the half-share men is by ejectments, which he earnestly advises, suggesting that a dozen *scattered settlers* should be selected, who would not feel a common interest in resistance. He mentions as a cause of delay in adjusting claims that "*half the lands are claimed under the state by contending claimants, in some places three or four deep.*" Closes by saying he doubts propriety of exasperating measures before the Commissioners have completed their work. But ere long it appears that the Commissioners themselves were subjected to "exasperating measures" on the part of Andrew Ellicott, the new secretary of the land office, or Board of Property, for which he acted; patents being refused to the Connecticut claimants, on account of some petty technicality. Cooper wrote a long and indignant protest,²⁹ mentioning that "this will be most grateful news to the half share men * * * who begin to revive, to sneer at our proceedings &c. * * * You know not the extent of the mischief you are planning, your conduct may hurt the state," and much more of same sort. Several months later, the matter still being unsettled, Cooper made another protest, in which he said:

"The half share men sneer at the Compromisers, and say 'we told you at first that you would never get a title.'"

Cooper was surely justly indignant.

Seeing no other way to rid themselves of Col. Franklin, the Legislature decided in 1804 to once more divide the county. Accordingly, in a session when Franklin was present, the Act was brought forward, setting off a small part of Luzerne (now Bradford) to Lycoming County. In ignorance of Franklin's exact location, they at first arranged the division so that his home was still included in Luzerne. Whereupon the bold man rose in his seat, and announced that such was the case, to the chagrin of his enemies. However, it was finally adjusted as desired. This caused great indignation at Tioga Point

²⁹ See p. 506, Vol. XVIII, Pa. Archives, second series.

and vicinity, which can best be told by a letter from the heart of the half-share country, on Sugar Creek, which is as remarkable in spelling as in spirit. The legislators, however, deceived themselves in thinking Franklin's constituents were in lower Luzerne; for at the next election the old story was repeated, Colonel Franklin was chosen a representative from Lycoming, and once more took his seat at Lancaster.

He was, therefore, in the Legislature almost continually for ten years; first in 1795-1796, then from 1799-1803. In 1801 he received every vote in the Tioga district. In 1802 every vote but three in the three upper districts; in 1803 every vote but ten. In the session of 1802-1803 an attempt was made to expel him on account of his indictment under the Intrusion Law; when, curiously enough, for political reasons, the landholders took his part and saved the day. It is said his election from Lycoming was his last triumph; that henceforth his ardor cooled, and he craved no further honors. But of course, he saw the waning of his beloved Connecticut claim.

To have the county seat on the West Branch was very trying for the people in this locality. The sentiments of the half-share men are well told in the following amusing letter, already alluded to:

"Burlington, June 25th 1804.—Col. Jinkins—Dear Sir: I must appolegis for not Answering Your Letter from Lancaster Sooner then I have but it wass not for the want of Friendship, but I had nothing wothey of Troubling you with. but now comes news we are Set of to another County without any authorety nearer then the West Branch, the experiment I think will not prove advantageous to the land jobers as they intended. there is a perfect union with the people & Settlers here though without Law except the dictates of Conscience which In so good a Cause is Sufficeant to keep peace and order. I have been lookin and expectin Som project from the Land jobers but have heard nor seen of none except a Surveying party that came from the West Branch they was out in the woods a week before any one in this Settlement new of it there was three partys, sent in quest of them but they had left their work and gone off. Before this reaches you I expect to hear of Somthing that will make a Nois. Mr. Gillet has been over (is now on his way home) with the inteligeance that Henery Donal Esq'r Came Last Tuesday Debetised as a Dist. Marshal with a Writ to Disposes Dorman Bloss, who is on a farm of Gillets at the Camp. Bloss with som help that Gillet got to assest, Capturd them they had a good deal of hard work. I expect the matter will become Serious for Donal has Come with a Commission as justice of the piece as agent for the Land jobers with a Determination to Survey Disposes Sel & turn the world upsidedown. In this way I think his Rase will be short as to Such Business. While I wright this I expect Som thing will be in Operation that will witness to him that though Yankees are wilde they will not thus be taimed. The Minds of the people are much agatated at the proceeding of the Legislative land jobers, but are firm in the good old cause and are better united than they have been Since I have ben in the Country & are determined that Agents, Surveyors, & Such Imesaryes Shal not infest our peaceful abodes. there has ben two Meetings of the Settlers on the Creek which was to try the minds of the people which they Manefested to be firm & Stedfast. And determined to share an equal fate. The Result of som things now in agitation I shal be likely to know and if it wil aford you any Satisfaction I will enform you by the earliest Opertunety. & as this season bids fare to be a trying one, your Council will be of great wait with us espetially with myself; for there is som little confidence placed in me by this Settlement they often make enquiry of me about our Affaires I am many times hurt that I Cant give them more Satisfaction then I do.

"I fear I have already tryed your paitence with my unconnected Scrible and mus beg leave to Subscribe myself with Sentiments of high Esteem. Your Friend and Humble Serv't, NATHA'L ALLEN.

"I expect that even a hint is unnessary as to secrecy of som things herein stated."

Nathaniel Allen was an original proprietor of Burlington; origin and later history unknown to writer.

And how goes on the settlement meanwhile?

The most important village happening of this period was the building of Dr. Hopkins' house, the most pretentious in the village. It stood on the lot north of present stone church, surrounded by many acres, for there was no Hopkins Street then. The Doctor was prosperous; his "hotle" having probably helped him to make money. The large house torn down but a few years since was only the main body; on each end were large wings, which were later detached, moved and converted into separate houses. There was a wondrous bow window in the front of the upper hall, very elaborate in detail, and an unusual "painted front;" paint was not often used. Altogether, the Paine house was quite dwarfed by its new neighbor.

New comers were shy of appearance from 1801 to 1805, but there was great admiration of the country, and some thought of new settlers, as shown by two amusing letters of Dr. Joseph Speed, of Virginia, addressed to George Welles in 1802 and 1805. In the first he had just visited Tioga Point, was loud in his praises, and proposed to move "spring after next," and had got several of his friends in the humor of going. In the latter he and his company were about to start, and numerous questions were put. He wrote:

"I am afraid we have concluded to bring an imprudent number of negroes to your parts. I should still be fond of your opinion on the subject."

He then anxiously inquires the price of various provisions, the possibility of obtaining furniture, feathers, etc., "*in your very fine part of the globe;*" intimates that he may bring a large company with him, and that permanent location may be at head of Owego Creek, *over the line*.

According to David Paine, Vincent Mathews, later a lawyer of Elmira, had residence in Tioga Point in 1802. John Reddington, *blacksmith*, apparently lived on the lot now occupied by M. P. Murray; if so, he was the only resident on that property before 1885.

The earliest town meeting of which record is preserved was in March, 1805, and was called "a meeting of the inhabitants of the *township of Tioga*, for purpose of choosing town officers;" Dr. Amos Prentice and George Welles chosen judges of election, Clement Paine clerk. Constables, Overseers of the Poor, *Fence Viewers*, and Supervisors were chosen, two of each; and it was voted "that all rams shall be rescued from running at large, and that any so found shall be forfeited to the person taking up the same." Another account is preserved of a town meeting held "at the house of Stephen Tuttle, Jr., in the township of Tioga (alias Athens), on March 18th, 1808," John Franklin and David Paine in charge. About the same officers were chosen.

In June, 1807, Henry Welles wrote to Richard Caton concerning a lot desired, which plainly shows that in Pumpelly's survey a *street* was planned from river to river, as in Lockhart's sketch, just where unfinished Academy building then stood.

"My particular object in writing to you to-day is to ask you for what you would dispose of six rods of land south of Irwin's store, which now is left out in Commons. You talked of laying out a lot there when you was up, but did not, at least our plot does not show any. If it should be agreeable to you to sell it, and at reasonable rate, I will undertake to sell it to a young man who will build a house on it, although there will be some opposition made by the neighbors. As it was not considered in the division of the Point, and there will be considerable trouble attending it, perhaps you will not think it improper to allow me one third, but I will leave it to yourself to judge whether it is proper or not. I write this at the desire of Mr. Satterlee, the young man who would bargain for the lot, if reasonable, and will thank you for an answer as soon as convenient."

Mr. Caton replied as follows:

"I am hardly enough advised by you of Mr. Satterlee's wishes for a lot on Academy Square, to be able to answer. The front of that square on Union St. is 160 ft. and the front of Academy St. is 60 ft wide fronting the centre of the square; consequently there are 50 ft. on each side. I suppose it is one of these 50 ft lots about which Mr. Satterlee inquires. I consider it as public property, but how far it may *legally* be so I do not know, however I am of opinion it might expose us to some trouble. I have virtually given a legal title to the public; it would be inexpedient to authorize Mr. S. to improve there * * * it might expose him to much vexation. I hope he can be otherwise accommodated."

In 1807 the little town had a new excitement, a law suit between a brother and sister. It will be remembered that Matthewson and Satterlee had contiguous lots on the Point farm, also east of the Susquehanna, the latter were 42, 43 and 44; location shown in accompanying picture. The



UPPER ATHENS, FROM ROUND TOP

two latter were Matthewson's. To avoid so much ferriage, they worked each other's lots; but within a few years that was not found satisfac-

tory, so they talked of "*swapping lands*." Both owned lands in Palmyra, which were considered in exchange, but no agreement was reached. The general testimony being that in Matthewson's lifetime, while they had made the exchange in work mentioned, M. refused to make any permanent agreement, always saying, when he wanted to build or improve on lots adjoining S., he should have the privilege. Satterlee found Matthewson's lots superior to his own for farming, and tried in vain to obtain them by exchange. Matthewson thought them better than the lots on the Point, and no doubt wished to hold them in case of ejectment by Carroll or Welles. The matter was still unsettled at Matthewson's death in 1805. In 1807 Mrs. Matthewson served on Col. Satterlee a writ to quit possession, and a suit was instituted thereupon. In August, 1813, she and Dr. Elias Satterlee, as executors, brought a second suit, and a writ of restitution was awarded.

Whereupon, in November, John F. Satterlee issued a summons in ejectment against Mrs. Matthewson and his father, doubtless by consent of Col. Satterlee. The case was struck from the docket, but the same day the Matthewson executors brought another; result, writ of re-restitution issued. In 1817 Mrs. Matthewson tried it again by serving ejectment on the Satterlees, father and son; judgment rendered for plaintiff; whereupon the Satterlees carried the case to the Supreme Court, and in September, 1821, judgment was reversed, and restitution of land and money ordered. Thus, after fourteen years' litigation, the Matthewsons were defeated, the eminent Judge Huston making the final decision.

This was a strange case, the parties being alternately moved by their own interests, and again influenced by their relationship. The depositions throughout are a valuable source of historical information. In the commencement Mrs. Matthewson was heard to demand her land over the river, and to tell Mr. Satterlee to take his on the Point; doubtless hoping thus to shift her difficulties with Henry Welles onto her brother. Mr. Satterlee was a man of "violent passion," said he would stick to the land till it cost him all he had, saying, "It is my living and *I won't give it up*." Later he claimed that his sister had sold *his* lands on the Point, therefore she could not claim *hers* over the river. Other witnesses testified that when he asked—in connection with Mr. Carroll's suit—"do you defend my land with yours?" she replied "no brother, I have enough," bursting into tears. Another witness testified to asking Mr. Satterlee if it was not a hard case to be lawing with a sister. "Tears fell from his eyes, but said he, the land I must keep, if I give it up I am ruined." He further said *he knew the land belonged to the Matthewson heirs* and was willing to make restitution, meaning to give them property in New York State. In this suit both parties made use of the complicated titles to assist themselves. This was not Col. Satterlee's first trial over title. Joseph Kinney testifies that in 1789, when the confirming law was in operation,

"Wm. Miller, the early trader, brot a claim against both Satterlee and Matthewson, covering lots 42, 43 & 44. Miller's claim was possession in exclusion and opposition to Connt. title. Matthewson made similar claim. Esq'r Carpenter

came from Kingston to hold trial, referred to arbitrators, of whom I was one. An award was made, Satterlee and Matthewson being in possession, and both Miller and Hurlburt setting up prior claims. Hurlburt's deed described his as 'extending to the creek opposite Sullivan's fort and back to the hills.'"

After some operation of the confirming and compensation laws, it became well understood that there were conflicting claims prior to those of Connecticut; and many clever devices were resorted to by the Yankees. Ignoring the Connecticut Claim, strong as was their pretended faith in it, they applied for the Pennsylvania title, claiming right of possession. It will be remembered that Thomas Overton came to Tioga as agent for Joseph Wharton, who had purchased lands east of the river "from Mashawpen Creek to vicinity of Tioga." The Satterlees now conceived the bright idea of purchasing this Pennsylvania title, and applied to Thomas Overton, who later deposes as follows:

"The deed from Joseph Wharton was first made out to Col. (Elisha) Satterlee. When it came he swore * * * *he had never taken a deed from Pennsylvania, and never would.* But said he had made an agreement with his son to take the deed, and it might be given to him (J. Franklin Satterlee). Therefore the name 'Elisha' was erased, and 'John F.' substituted; this was done before a notary."

The deed was given by Caleb Foulke, assignee of Jos. Wharton, J. F. Satterlee giving bonds and mortgage. This deed was given in 1812, covering lots 42, 43 and 44; and thereafter Col. Satterlee posed as the tenant of his own son; first, however, having his son bring an ejectment suit against him, which was thrown out of court. But Mrs. Matthewson proved more clever. Early in the following year (1813) she applied for, and obtained the *State patent* to the lands. In the final suit, Satterlee's deed from Foulke was thrown out by reason of the erasures, and the Matthewson heirs held the land (now known as Wheaton property) until sold by them in 1836. While this suit was not settled until 1821, it has here been carried to the end to make the whole matter clear to those interested. Records may be found in 1807, 1813 and 1820, the last being No. 60 of December term Special Court. The most definite knowledge concerning dates of early settlement, survey and allotment of Athens and like matters has been obtained from the depositions of witnesses in this final suit, a full copy being in the possession of C. H. Satterlee. For further details see Appendix A.

Narrative of Isaac Morley, 3rd.

In 1807 the first of the Morley³⁰ family came to Tioga Point, where they have ever since continued actively concerned in all the

³⁰ The Morleys were originally from England. Isaac (son of Isaac, son of Thomas) came to Tioga Point from Springfield, Mass. His wife was Beulah Harmon, dau. of Gad Harmon of Suffield, and granddaughter of John Hastings, a preacher. They had nine children, the sons were Isaac, 3rd, Gad Harmon and Alvin, who settled on the farm purchased by their father from Joseph Spalding; Jacob and Justin. Isaac 3rd had the homestead, he m. Celestia Spalding and had Isaac 4th, Annie, Abraham, Simon, Nancy, Job, Huldah, Reuben Seth; Celestia m. John Ovenshire, still living, also Job; Alvin built the house still standing at Morley's Crossing. Gad H. lived in the old Joseph Spalding house. This family built about 1823 the first Morley's mill on same spot where their descendants have a mill to-day.

Alvin went to Owego to learn a trade and found a wife, dau. of Stephen Parmenter, and had five children: George, Jane, Cornelia, Adaline and Frank S.

Gad H. m. Experience, dau. of John Green, and had seven children: Beulah, John G., Justin, Hester, Harriet, Gad H. Jr., Welthia.

Isaac Morley 3rd d. 1882, aet. 94 years; he was a respected and worthy citizen.

interests of the valley. Some incidents in connection with their coming, and some conditions in the village can best be told in the words of Isaac Morley, 3rd, taken by W. A. Plummer from the lips of Mr. Morley when he was ninety-three years old, but with a clear mind and retentive memory :

"In 1807 father sold his place in West Springfield (Mass.) and moved to Tioga Point as this place was then called. We were 16 days coming through and got here in October and bought the three lots" [property near Morley's Mill, still in possession of family, purchased from Joseph Spalding].

They occupied a small log house, built for Howard Spalding, until they could build. Isaac continues :

"The next spring we raised a barn and so did Mr. John Spalding. He was sheriff. There were several dry goods stores on the Point then, none others nearer than Elmira or Owego. Esquire Saltmarsh was lawyer for the section, and everything was left to him. We crossed the river at Bainbridge when we came out; on the only bridge there was at that time anywhere on the (upper) Susquehanna. I was nineteen years old, and taught school that winter in an old house. * * * I taught the first school in the old log school house at Greene's landing in 1813. Some scholars came from Sheshequin and some from the 'Point.' I was offered the Academy on the Point, but I did not think I was properly qualified * * * teaching district school is not much of a business."

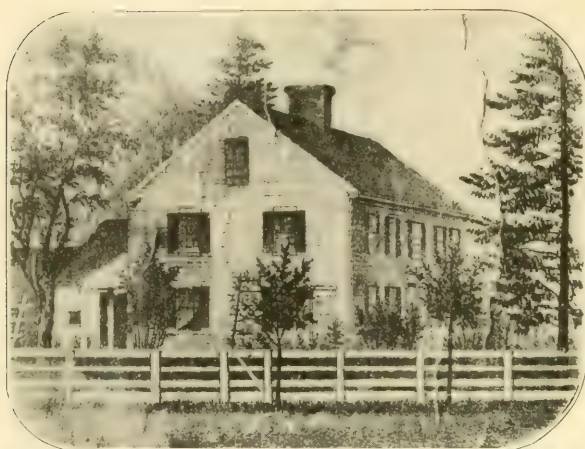
Isaac was evidently considered a teacher above the average, and he showed his industry as he worked at his trade in the summer, but taught every winter until he was married. His account of the famous Morley Mill and some other mills, distilleries, etc., will be given in a later chapter.

"I cleared the stumps off that field (in front of the mill) they were mostly oak. I cut off all the pine, but have trees over two feet through that have grown since. The hills were bald and bare then, owing to hunters' ring fires. The river flats were not all cleared off, and no settlers lived back, except some in Smithfield. Old Wright Loomis owned land from Buck's Creek at Milan to Reddington Creek. He lived a little way from where Watkins' house stands. We used to go there to elections, the only place in this valley for elections. Green's Landing was open to the commons. * * * This valley was heavily timbered. Mr. Murray³¹ had two distilleries. We had plenty of hotels along the river."

³¹ Abner Murray, oldest son of Noah, was one of the most active and energetic business men of the valley. He was a prosperous farmer and inn-keeper, distiller, merchant and lumberman as well. Dec. 25, 1797, he married Dorothea Harris and had a goodly family of sons and daughters, some of whom remained in the valley. Their son Harris settled near the state line, m. Eleanor Gordon, became as active and prosperous as his father, and built a fine stone house still standing; part of his homestead property is now occupied by his grandson John, son of John. Abner's daughter Eliza m. Simon Spalding and lived and died at Milltown. His daughter Mary Ann had the grandest wedding the country ever knew, and removed to Ohio. There were other children, who made homes elsewhere. After the death of Dorothea, Abner m. Nancy Ely (White) of Owego. They had but one child, Edward A. Murray, who m. Marianne, dau. of Thomas Page, and inherited the homestead, where he lived



Isaac Morley



About this time (1807 or 1809) Abner Murray built a commodious house for public as well as family use. The frame is still standing, though it has been so altered that few of its early acquaintances would recognize in the present house the one of long ago. It was called the best built house in Bradford County when completed. The pic-

ture does not show the elaborate hand work in cornice, doors, etc.; nor the eight great fireplaces with hand-carved mantels; nor the winding stairs leading to the second story, which could be quickly converted into a great ball room, with two roomy fireplaces in the center. For the wooden partitions were all swinging ones, hinged at the top, and capable of being hooked up to the ceiling, leaving a fine dancing floor. While all around the outer walls were hinged seats against the wainscoting, and the room was lighted by quaint wall candlesticks, one of which has come down to present days, as has the old sign that once hung between the tall posts of the gateway, and, creaking to and fro, proclaimed to every passer-by that this was Murray's Inn. For many years it was known as one of the public-private houses, open to travelers and lumbermen. Indeed, it was a favorite resort for those who ran the river, for in the great shed



and died, which is now owned by his children, Millard P. Murray and Henrietta Murray (Vandike). Abner had much inventive genius and there are many rude but useful household implements preserved of his manufacture. Edward Murray had other children, E. Ely Murray, Charles F. Murray and Anna P. Murray. Noah Murray's daughter Elizabeth m. John McConnel, and their son Murray McConnel, one of the most prominent pioneers of Illinois, was reared in Abner's home on account of his mother's death. Noah Murray, Jr., brother of Abner, lived in Athens until 1831 and was Justice of the Peace many years. He moved to Ohio, where many descendants may be found. His wife was a widow, Mrs. Dutilh of Philadelphia, who had two daughters, one of whom, Marion, m. Warren K. Jenkins, a well known newspaper man, who had a temporary residence in Athens. A full genealogy of descendants of Noah Murray, Sr., has been compiled by the author.

at the rear was a huge fireplace and brick oven, so that the lumbermen could stop here and do their own baking, as did the canal men later. Unfortunately, this beautiful old house was remodelled sixty years after its erection, and all its pristine glories annihilated; a most lamentable occurrence. Some of the hand-carved mantels have been preserved and are set in the houses of Abner's descendants. The picture shows the exterior as it was first built, with little suggestion of detail.

The Compensation Law in Operation.

Even with the amendments already noted, the compensation law did not reach all the applicants; and in April, 1807, a further supplement was added, hoping to close the whole matter. But alas! for Athens and Ulster, only fifteen townships were included! Great must have been the dissatisfaction when the Connecticut people in these upper towns read the second section, viz.:

"The Commissioner shall not require the Lands within the said 15 Townships to have been occupied prior to the decree of Trenton, but the same lands certify to the several applicants; if under the rules & regulations of the Susqu'a Compy. at any time they should otherwise be entitled."

Hope was almost abandoned; and it was evident that at last Colonel Franklin was giving up the fight. But never did he express a reason; whether exhausted by his efforts, as age advanced, or whether convinced of the fallibility of the Connecticut Claim. Yet he was willing, as long as life lasted, to gather around him his old friends or the younger generation, and tell the whole story, and fight the battles over again. Indeed, it is supposed to have been Franklin who inspired a youthful poet of Athens to sit up all night in a cold room, and write a poem based on the thrilling tale of the old settler, as follows:

"I have fought for this land, and now ask but a grave;
I have fought for this land and am wronged by its laws;
Though old, I remember the wounds of the brave—
Though old, I am ready again in the cause."

The cause for which he fought in this instance being that of his country against the British and Indians, but the lines are quite as applicable to the cause of Connecticut.

The coming of Dr. Rose to Tioga Point, late in 1807, has been mentioned. He exerted every effort to advance the interests under his agency. About February 1, 1808, he invited the inhabitants of Ulster, Sheshequin and Athens to meet with him at Dr. Hopkins'. He then proposed to them to make another application to the Legislature for an extension of the compromise system to Athens and Ulster; promising the strong support of the Board of Pennsylvania Landholders. This suggestion was eagerly caught at by many of those concerned; but, as just at this time the Legislature was becoming alarmed over the amount of appropriation necessary to carry out the supplement of 1807, the matter was laid over until the following year. It was a clever bit of policy that Henry Welles was nominated for the Legislature and was elected; the Connecticut settlers voting for him *because* he was a Pennsylvania owner, and therefore more likely

to have influence in the Legislature. It is worthy of remark that he received an almost unanimous vote, although it was but a short time after the ejection of the Matthewsons. Henry Welles knew that the proposed bill would be difficult. The subject had become an obnoxious one to the Legislature. "Their departure from the decision of Trenton, as shown in supplement to compromise law, passed in 1807, had been looked upon as a general abandonment of the principle of the decree, subjecting them to severe criticism, and rejoicing the Connecticut intruders. Added to this, the expense attending enactment very soon became alarming, and March 28, 1808, an act was passed suspending the whole compromise system." In spite of this sentiment Henry Welles was loyal to his constituents, and made every effort possible. Although it has been generally attributed to the Attorney-General, it is evident from recently discovered letters of Henry Welles, as shown in previous chapter, that he actually framed the well-known Bedford and Ulster Act himself, and that, too, under adverse circumstances. For though he appealed to his constituents for instructions, he received no replies, and was obliged to rely on his own judgment, while anticipating censure, because his own interests already involved were in direct opposition to those of most of his constituents. Yet, since they were under the Pennsylvania Claim, he was practically assured of his title by the very terms of the act.

According to his letters, the act as first framed included Athens, also the last grant of Ulster; but during the debate in the House, Athens was struck out and consideration given to the *first grant of Ulster only*, as stated in Sec. 1, "the township of Ulster as originally surveyed." Mr. Welles' perseverance and exertions having effected the final passage of the Act, the Governor at once appointed commissioners to put it into execution. Their journal is in Pennsylvania Archives, from which some extracts are here made. They commenced their business "June 11, 1810, at Ulster," this name being used instead of Athens throughout their minutes, except that they announced "Head-quarters at the house of Dr. Hopkins in the town of Athens." Joseph Kingsbery, the redoubtable, was appointed clerk, William Wilson surveyor, with Neal and Daniel McDuffee and Francis Tyler as assistants. Wm. Wilson was reported as a resident of Athens. He may have been Cooper's associate.

Manifestly the first duty of the commissioners was to obtain the original survey; they report as follows:

"The claimants not being able to procure the old grant of the town of Ulster at this time, by reason of it being heretofore delivered to Thomas Cooper one of the former Commissioners; the present Commissioners proceeded to ascertain the boundary line of said township as originally granted by the Susquehannah company on the best information that could be obtained; several of the inhabitants attended and declared &c. [given in depositions] The surveyor by direction of the commissioners proceeded to run the boundary lines accordingly. Having fixed the above mentioned bounds, or exterior lines of the old township of Ulster, the commissioners proceeded to give public notice that they were ready to receive applications and evidence of title from the several claimants."

On completion of their work they reported as follows:

"The Commissioners having this day completed the surveying, classing and valuing all the lands applied for by the Connecticut claimants in the township of Ulster in Lycoming county, which comes within the provisions of the law, deferred Issuing Certificates to the settlers in consequence of their not having procured the original grant. The Committee on the part of the claimants having failed in their endeavours to procure original grant, the Commissioners in consequence thereof agreed to take the next best evidence the nature of the case would admit of (viz): The testimony of the oldest and most respectable characters living nigh the place, possessing a correct knowledge of the facts."

The following depositions go to establish fully and satisfactorily those facts:

"Obadiah Gore, of Sheshequin, on oath said: I was one of the committee of grants for granting land under the Connecticut Susquehanna Company. That about the year 1774 or 5 Asahel Buck applied for and obtained a grant of a township called Ulster, and according to the best of my recollections it was bounded as follows, viz: Beginning on the *west* side of the Susquehanna river two miles below the junction of the Tioga with the main branch, and extending west five miles, thence north five miles, thence east five miles to the main river, thence down the river to the place of beginning; the above mentioned grant was in the hands of Thomas Cooper, Esq., when a Commissioner, carrying into effect the compromising law; he had it at my house. Further saith not.

"OBADIAH GORE.

"attested before Joseph Kinney Justice of the peace."

It may be observed that Obadiah Gore, living on the *east* side of the river, could have no object in misrepresentation. Indeed, he was in opposition to the Connecticut people, having obtained the Pennsylvania title.

"Lycoming County ss. Personally appeared Lockwood Smith, who on oath declared that the boundaries of Old Ulster (as it is called) were in the original grant thereof as is described in the depositions signed and sworn to by Obadiah Gore Esq.

LOCKWOOD SMITH

"Sworn and subscribed before me, witness my hand and seal

"JOSEPH KINNEY
Justice Peace"

"Aug. 6th 1810

"These certify that the township of Ulster (commonly called old Ulster) as granted by the committee to Asahel Buck and others, in the year 1775, was bounded east on the Susquehanna river, and to my best recollection and belief extended two miles south and three miles north of the Junction of the Tioga river with the Susquehanna, *including Tioga point* and extending west from the Susquehanna five miles.

"That the grant of said township was lodged with me as clerk of the Susqu'a Co. about the year 1785 or 6, after a new grant had been issued; that it was in my care until the Commissioners appointed under the compromising law were ascertaining the claims of the settlers in the township of Claverack, when Thomas Cooper Esq. called on me for the grant by a written request from Obadiah Gore Esq'r, as it was then contemplated to have the township of Ulster embraced under the compromising law. That I delivered the said old grant to the said Thomas Cooper Esq'r, and it has not been since returned, and the said grant has never been recorded in any of the books in my care or in any other to my knowledge. Certified at Athens August 6th 1810. JOHN FRANKLIN."

Attested by John Saltmarsh.

"The foregoing depositions of Obadiah Gore, Col. John Franklin and Lockwood Smith going fully to establish the bounds of old Ulster to the satisfaction of the Commissioners, they proceeded on the Eleventh day of Aug. A. D. 1810

to issue certificates³² to all the claimants who had established their titles." Wonder of wonders, the first application was made by Elisha Satterlee for lot No. 17 third division, just south of Snell's location.

This property has not generally been assigned to Satterlee; it seems to be a part of present State lot. The minutes prove that the fiery Colonel did after all apply for a Pennsylvania title, not only for said lot, but for two others; one of which was found in possession of a Pennsylvania claimant. Lockwood Smith's claim, as an old proprietor, was fully established for lots 4 and 5 in *old Ulster*; as also those of his neighbors, William Curry and Daniel Minier, who derived their title from the Buck heirs, *original proprietors*. This grant of Ulster being acknowledged to cover Tioga Point, applications were made, regardless of the occupation by Pennsylvania claimants; the stand being taken that the Connecticut people were "actual settlers" before the confirming law, and the Pennsylvania people were not. However, when Betsy Matthewson made application for all the lands originally claimed by her husband, Henry Welles entered a protest and was granted a hearing as a Pennsylvania claimant in possession.

The lines were drawn pretty fine; and there was much sharp practice tried on the commissioners. Elisha Satterlee applied for the lots on the Point which had been in Matthewson's use; but they were left to the possession of Henry Welles. Mrs. Matthewson and Henry Welles being given a hearing before the commissioners, Mrs. Matthewson admitted that Charles Carroll was the owner of the land in question under a Pennsylvania title, and it was decided that, according to a section of the law, this case could not come under the cognizance or powers delegated to the commissioners. By this decision Welles scored a victory, and Mrs. Matthewson's high hopes were once more downed. It was ever after claimed that Henry Welles introduced that 5th section for his own benefit, and it must be acknowledged that his letters indicate that such may have been the case.³³

The application of Erastus Loomis for the property held by his father on Queen Esther's flats since 1792 showed not only that Wright Loomis had purchased the Pennsylvania title of George Lattimer, a lottery warrant of 1785; but that Uriah Stephens and Solomon Bennet were in possession of this land *prior to 1785*; lived on the premises six years, and sold their right to Samuel Swift, *and he to Loomis*. This warrant is of assistance as proving the location of Queen Esther's Town. Abel Yarrington claimed this same land, or a part of it, as a half-share proprietor in 1787.

These particular cases bear directly on certain points of our history. The whole journal, however, is of great value to various families whose ancestors at this time settled their titles by proving their derivation. One other much disputed claim is here given. Jacob Snell's *possessory right* was covered by Oliver Bigelow's claim under Susquehanna grant of Athens. Bigelow sold the same to Noah Murray.

³² Patents were granted on these certificates without dispute, and many are still preserved. Isaac Morley relates that he went *on foot* to Harrisburg and Philadelphia and obtained the patents for himself and many of his neighbors, the cost being about \$14 apiece.

³³ This section provided that no certificate should be issued for lands where a *Pennsylvania* claimant was in actual possession or occupancy.

Jacob Snell having died without making good his Pennsylvania title, as had been his intention, his widow, "out of the personal property of said Jacob," for the benefit of the heirs, purchased lot No. 18, and also a fourth division "lot north and adjoining," of Noah Murray, February 19, 1793. Upon her marriage with Joseph Spalding she released her right of dower to one son, on promised payment of £21 per annum, and from the two other sons she took a certain number of acres in full satisfaction. In 1809 David Paine laid claim to some of this property, having purchased lottery warrant No. 40 at tax sale; wherein David showed pretty sharp practice. No doubt the Snells were frightened. The widow, now Mrs. Spalding, sold her share to David Paine for \$200; and John Snell his share for \$200. Two days later Paine resold to John for \$100. On the deed is written by Paine, "assigned back;" altogether a curious complication.

Eventually, what was left of the original Snell property passed into possession of John Spalding, partially by purchase, and partially by means of a State patent taken out by him in virtue of another early warrant; further instance of the overlapping Pennsylvania claims. The work of the commissioners in granting certificates to settlers in Ulster was completed July 6, 1810. These certificates were *every one* granted under "Old Ulster," the grant of 1775; and the location of lots patented on these certificates is *entirely west* of the Susquehanna. No certificate was called in question, and thus was forever settled the Connecticut claims, with one exception, the Matthewson's. The third grant of Ulster was divided in December, 1819, and its original name, Sheshequin, given to the town east of the river.

Condition of Trade—Various Merchants and Shops of Old Tioga Point.

At the opening of the century the condition of trade, which had suffered from the smart French shops at Asylum (1794-1796), was somewhat improved, and the Point became and continued the trade center of a large region, extending into New York State. The Welles and Caton store carried a different class of goods from Hollenback's; its reign was brief and brilliant, and its account books, still preserved, give as faithful a list of settlers as a tax list, also an estimate of financial standing. George Welles was a minute accountant, and his receipt book is not only an autograph album, but accounts for every *dime* paid. Wages were 50 cents a day, or \$10 a month. The resources of the country were peltries, corn, whisky, wheat, lumber and cattle. Corn was 50 cents per bushel; wheat rose and fell, \$1 being highest price. Henry Welles' account book from 1804 to 1812 shows that at the first date he purchased his father's business outright. Other account books show mercantile trade until his death, and his sense of wit in his recorded characteristics of his customers.³⁴ Daniel Moore,

³⁴ (Extracts from Account Books of Henry Welles, from 1804 to 1833):

1804 Jan. 1. "Purchased of Father 275 acres in Twp. 10, Tioga County:

" "Purchased of J. Pumpelly 40 acres, Wm. Johnson's land. Paid \$1830.00"

" (Jan. 1) " of Father stock, grain and the distillery, Orlando Mack in charge.

" (July) " Purchased sheep in Vermont: (minute account of farm work.)

" " Completed payments to Jas. Irwin of Painted Post.

(Customers and business accounts noted, with observations.)

Stephen Tuttle, 1804; Andrew Harris, Mrs. Matthewson, from 1806 to 1809.

Gilson, Cabinet Maker, Towanda; Noah Comstock, Distiller.

Robert Alexander and Orlando Mack were in charge of Welles' distillery from 1800 to 1805. Mrs. Matthewson was friendly enough to trade from 1806 to 1809. These books show residence of settlers known only by tradition. Joel Murray, brother of Noah, and Polly Stowe being noticeable from their large accounts, running to 1828. At this period Stephen Tuttle's letters are a faithful source of information. In 1803 M. Hollenback built a large store house on the river bank of his property,³⁵ also a wharf. James Irwin built one back of his store and tavern on the Susquehanna bank; the lane leading to this was open for fifty years. David Alexander built one on northeast corner of present Maurice property. These were used to store produce awaiting high water to be shipped to market, also for the goods of emigrants and merchants awaiting transportation to the "lake country." The Academy begun in 1797, unfinished because of unsettled titles, was long used as a store house, and the two public squares were piled with lumber and shingles even as late as 1825. As in Indian times, this was the point for loading and unloading boats, rafts, etc. A little later the manufacture of potash became a profitable business: "carried on amid the native forests of Bradford County, it involved a destruction of lumber that would now be looked upon as deplorable, great numbers of trees being cut, piled and burned, merely to gather the ashes for potash and pearlash." The mills at Cayuta Creek were successfully conducted by John Shepard and others, and later woolen

Dr. Chandler, lumberman, on the East Hill, a clever man.

Charles Mott, a travelling Gentleman.

Vernell, an English travelling Sadler.

Thomas Ellis, the real old one; Ira H. Stephens, merchant.

Porter, the Canadian, here to-day & gone to-morrow; Run away, in full.

Zenos Thomas, hatter; Wm. Wright, an English machinist.

Wm. Parry, the English joiner; Daniel Snell, timber-merchant.

Capt. John Redington, blacksmith; Gleason, a rascally shoemaker.

Erastus Wolcott, the distiller at Isaac Shepard's.

Richard Johnson, a black convict whom I was fool enough to trust; run away to balance, and

I was glad to let him go with the sheep he stole from me.—Wm. May the brick-maker.

Old Uncle Levi Fox of Litchfield. George Simmons, a scoundrelly traveller.

Radnor, the mean shoemaker; Bush, the grist-mill builder.

Peter Carlisle, 1817. Ogden the joiner, who built the Boardman house.

Noah Murray Jr., Murraysfield, 1818. Jacob Johnson, ferryman.

Capt. Nathaniel Talcott, 1814. Elijah Saltmarsh, Sheshequin.

Solomon Everts, weaver. Johnson Chase, a runaway.

Thomas Wilson, the son of the old man of all.

Nathaniel Ketcham. By profit and loss to balance, 60c; as the good man has gone to one of the bournes whence very few pilgrims return to pay their bills—Ohio.

John Pierce, Dr. \$3.00:—Dead, and so settled.

Corneby, an Englishman, Queen Esther's Flats, 1831.

James Fabun, who lives at the Cove.

Thomas R. Davis, blacksmith; April 1829 purchased land.

John Moore Jr., son of John, and he son of Daniel.

Gaylord, the Sadler, 1831. McCall, wagon-maker.

Creelman, and McCullough, Irishmen; 1831.

Tom Rinehart, or some other man; a rogue, however.

James Calkin, Merchant, 1821. Robb the schoolmaster.

Silas Cole, a travelling character.

Tyson Roberts, related to John Griffin.

E. & E. W. Pelton, called Cabinet-makers.

Beigle, cabinet-maker. W. S. Murthouse, cabinet-maker.

Alexander Brooks, Chemung; this account not closed in harmony, he is a rascal, and as such

I have his name recorded.

Land for the Presbyterian meeting-house, valued at \$100.00: cash \$45: and two cows sold for

\$30: (1827).

³⁵ The door-stone is still in place at the foot of the Hunsiker garden, a favorite resort at sunset. From this stone was photographed the view up the Chemung, illustrating Jenkins' survey, Chap. XIV.

mills were added, the industries giving the name of Milltown to the surrounding settlement.

When Guy Maxwell left, in 1795, Hollenback's store knew hard times for a few years. John Hollenback, Jr., afterwards the husband of Susan Welles, was in charge, or, as Matthias Hollenback records it, "John Hollenback went there to destroy the shop and let the goods be stolen." Then came John Alexander, Jr., whom we cannot place, perhaps the husband of Hannah Hibbard. At this time there were large receipts of cash, and much business done with Charles Williamson, the English pioneer in Steuben County. In 1798, feeling the necessity of competing with Welles and Caton, Stephen Tuttle was employed; he was to have half the profits and the support of his family, and to order such goods as he thought fit. His first invoice was £300, the order being for "tea, brimstone, sewing-silk, penknives, nankeens and fustians." Soon he reports he "can do no business without a sine," and has ordered one from Newtown. Then he writes, "there is no rum, gin or brandy on the Point but what I have." It is observable that coffee was not in any of these bills of goods until 1808.

Although Maxwell was no longer clerk, he seems to have had some interest in Mr. Hollenback's affairs, as evinced in letters from 1797-1805. In 1798 he reports the store at Newtown as the only place where cash is received, since there is a good supply of such articles as people cannot properly do without. But both he and James Irwin had opened separate stores there, and in 1801 Tuttle reports "trade here is likely to be overdone as at Newtown, there is a storekeeper on his way from the Owegee by the name of Saltmarsh, Rosett and Doil (?) in old Sheshequin, Pierce in New Sheshequin, the country is full of goods as can be." Maxwell, who went down the river just then, reported a Mr. Ross from Maryland as on his way to Newtown or Painted Post with a large stock of goods, but adds that "as he is with the boat himself and will be tired when he reaches Tioga he will probably be persuaded by Mr. Welles to open in his store; he is a decent gentleman, there will not be so much wind puffed from him as from Goldsberry." The latter was a Baltimore man, just opening a store at Newtown. Maxwell says of him later, "Our great Gun from Baltimore is not dashing as heavy as we expected"—assortment far from good—Blankets and lampblack—has given offence to many—declares against giving more than 6.6 for wheat—The other Newtown merchants at once combined to run the risk of offering \$1 for wheat to defeat this man's calculations." Goldsberry sold the best Bohea tea for 3/3 York money. As he offered to take even potatoes in exchange, Tuttle decided it would be cheaper to purchase of him and save carriage. Trade at Tioga now became as serious as at Newtown. Tuttle had been the only merchant since Welles & Caton closed, but now, with the coming of Mr. Saltmarsh and his goods, he reports "trade very dull, expect to shut windows and lie at ease." It was a most curious thing that every new store opened in these frontier settlements at once gained all the trade, like a new patent medicine, every one eager to try, forgetting their old friends. Mr. Ross, following upon the heels of

Saltmarsh, decided the Point was desirable; one opened in Irwin's, next the Academy, and one in Welles & Caton's building just over the way. Tuttle reports "close times here for trade," and Maxwell also to Hollenback, "you have more to fear at Tioga than here—so many strange things will turn up in the trading business in this country I will keep you posted." The new merchants at Tioga were determined to sell goods very low. Tuttle says: "Mr. Ross is one of your Close Tite fellows and is Determined to Establish his name here for selling cheap, has taken the whole run of trade—John and I—Poor Devils have to stand by and keep Tally—trade is a poor business in this country—tavern trade all we have." The competition stirred the farmers to activity; in the winter of 1802 they refused to pay their debts or buy new goods unless they were given \$1 for wheat, this price seeming to be always their desired standard. Maxwell says of them: "Republicanism prevails here to such an extent that they conceive the Storekeepers a greater nuisance than the Stamp Act or the Alien & Sedition Laws—I believe many of them think it is tyranny and oppression for us to secure it at as low a price as \$1." However, it was an open winter, with rain and heavy roads preventing the usual transportation by sleighs to Newtown and Tioga Point, where all the wheat crop of the lake country and Genesee Valley was marketed in winter, ready to be run down the river in spring freshets. A new industry was now started at the Point. Christian Schrider, an expert rope maker, had settled there and made of hemp, sugar twine, bed cords, trace ropes, plow lines; and of hatched flax, seine twine. The Snells were expert weavers and hat makers, their fine beaver hats often selling for \$5 apiece.

In spite of the competition this year the Paines decided to open a store, purchasing large quantities of goods in Baltimore, to be sold very low. Tuttle's trade was dead, and Saltmarsh selling off his goods at half price. Tuttle reports "trade very bad at Newtown—they are all in the fidgets.—planning to move to other localities—a new tavern to be opened here, want to leave—titles are so precarious on both sides that there is nothing to be done in land, and the dispute in this end of the country will eternally prevent prosperity."

Continued epidemics of fever swept over the country from She-shequin to Newtown, evidently malarial. Tuttle's only important order in 1803 was for two cases of Dr. Rawson's Bilious Bitters. To eke out profits, Tuttle became interested in building the Cayuga turnpike, but found it so unprofitable that he was violent in denunciation of delinquent subscribers. In the winter of 1804 he reported Lake country wheat coming by thousands of bushels in sleighs, but not enough goods selling to pay for making a fire in the store. In 1805 John Miller opened a store, and Tuttle writes he thinks Miller and Paine had "bought pretty much all there was to be sold in Philadelphia, and will drive all before them." In 1806 Miller was reported as a "large Battery dashing out his goods, trusting, etc.—keeping the best store in town, the farmers struggling for their \$1 for wheat again, it was only 6s., but," said Tuttle, "expect every day that it will be raised to a dollar as

the devil is always in some of our people and not enough righteous to save the city."

In 1808 the whole trade of the country was paralyzed by the threatened war embargo. Stephen Tuttle, never very successful, and hampered by the bad management of his predecessor, decided to leave the Point. Apparently Hollenback's store was not in operation for several years. It was rented to Drake and to Mr. Keene for a short period in 1813, and in 1814 Jeremiah Decker was in charge as agent of Hollenback, and may have been earlier. He proved very far from trustworthy, and gave a great deal of trouble, and Mr. Hollenback abandoned business at Tioga Point under his own name about 1818. Horace Williston rented the house part, and the store was closed. In later years it was occupied by Ellsworth, Tozer and Clapp, and finally by successive milliners of early days, Matilda Smith, Lovisa Nichols and others. The old buildings disappeared or were demolished; but the property continued in the Hollenback name until 1861, when it was purchased by F. N. Page, who erected the fine residence now occupied by family of Cornelius Hunsiker. In connection with trade in early days, imprisonment for debt was enforced by Matthias Hollenback, two notices being found of 1790 and 1803, to "any constable to levy on the goods and chattels, and for want of them to take the body to the gaol." The second was for only \$4.55 against Joseph Spalding. We are in ignorance as to the imprisonment, but the account was not paid until three years later, a curious circumstance. The early merchants were much bothered by the "hawkers and tin peddlers," and in 1818 those of this region petitioned the Legislature through Henry Welles to enact some law against the competitors. In this connection, Stephen Tuttle wrote, suggesting that nothing short of total prohibition would avail, since "the hawkers themselves are not afraid of all the laws that the legislature can pass, as they are sure no law can be passed but what they can find a hole in it large enough to drive their wagon and horses through and escape—if a license so much the better, as everyone could not find funds, and so less competition—if an exception in favor of disabled people, surely for a dollar they can get some fool of a surgeon to certify to their disability &c."

War of 1812.

The war of 1812 agitated the people of this neighborhood considerably, although the only information is from stray bits found in letters. The first is written July 4, 1812, by Clement Paine to Col. Samuel Satterlee, intimating that there was to be a meeting the following day to attempt to secure volunteers from Col. Satterlee's (Militia) Regiment. Capt. Moss, or Morse, and Lieut. Watrous were the recruiting officers, and to them Mr. Paine made the following generous promise: "I will make a gratuity of a new rifle, 1 canister with bottle powder, six best flints and five dollars, to be disposed of by the officers of such volunteers for their general benefit, in any mode to be agreed on by the company at large." Apparently no company was raised until May, 1814, when it has always been said that Julius Tozer raised a company, of which he was made captain, "most of the

men enlisting from Athens." From the Paine papers comes a subscription list, dated Smithfield, 17 May, 1814:

"We the subscribers agree to pay as a gratuity to the men who shall volunteer their services to join *the militia* of New York at this time, agreeably to the request of Genl. Porter and Genl. Swift thro' Capt. Micajah Harding & squire Wells (Judge Wells of Wellsborough) the sum of money annexed to our names respectively—to be equally divided among those who may thus volunteer not however to exceed \$5, each man."

The list, in the subscribers handwriting, includes Clement Paine, Julius Tozer, Wanton Rice, John Spalding 2nd, Vine Baldwin, Samuel McKean, Thos. T. Huston, John and Abraham Minier, Erastus and Theodorus Loomis, John Harkness, John Watkins, Henry Welles, Charles Woodworth, Francis Tyler. While some of the funds thus raised were sent to Judge Wells, to be used however for Bradford County volunteers, some were paid to *Col.* Tozer, showing as well as his signature on list that Tozer's company was raised about this time. This has been verified by application to War Department, whence comes the information that Julius Tozer (Sr.) enlisted May 1, 1814, serving as "captain of company which bore his name in Swift's and Dobbin's Regiment New York Volunteers." No wonder it bore the Tozer name, for the old Revolutionary hero had the proud distinction of commanding sons, nephews and relatives. It is against the rules of the War Department to furnish complete roll of names. But it is known that Julius Tozer, Jr., Guy Tozer, Samuel Tozer, Elishama Tozer and their cousin, Jonathan F. Conkling, were enrolled. Also William Van Gordon, Solomon Westbrook, John Brown, William Drown, Daniel Satterlee, Samuel Baldwin, and several Ellises. Captain Micajah Harding commanded another company in the same regiment. May 21, 1814, the volunteers received from Clement Paine cash, flints, powder, etc., as promised, all being made to sign receipts, in which it was stipulated that if they failed to give six months' service, unless they could show a regular discharge, they were "accountable to said Paine for the same," an amusing showing of Clement's business methods. Apparently they all saw active service, except Julius Tozer, Jr., who was detained at home by illness, which is not now to be regretted, because thereby he received a letter which has been preserved to this day:

Headquarters fort Erie August 10th 1814

Dear Brother, I must tell you that Brother Guy and cousin Elisha (Elishama) arrived here one day since, who fetches good news from home, they tell me that Polly Holbrook is married to Mr. Willson; you must wish them much joy for me, you must tell Moses Vangordon that his cousin William is here and is well, and you must tell Elias Westbrook that Solomon is here and is well. I have nothing more of to write excepting giving you an account of the battle that was fought here yesterday morning, the enemy attackt our fort on both wings, they attackt our fort without flints in their guns to take us by the point of the bayonet the enemy entered one bastion of the fort with about three hundred men, which was instantly blew up and they were Killed and made prisoners, our loss was small when compared with the enemy, our loss was about twenty men Killed and wound (ed) while the enemy lost about eight hundred or a thousand men in Killed wounded and prisoners, this is all I have to write at present excepting that we are all well Captain Harding sends his re-

spects to you all and says I must tell you he has not lost but two men out of his company. I am with great respect your brother

Julius Tozer

SAMUEL TOZER

NOTE.—This letter is addressed to Mr. Julius Tozer, Athens, Bradford County, Pennsylvania. Julius Tozer was the father of Mrs. Mary Tozer Corbin, who loaned the original to the Tioga Point Museum, where it was long on exhibition.

Capt. Tozer was wounded in the service, and later in life received a pension. Their service was supposed to be for six months only, and Capt. Tozer's is recorded at Washington as closing November 1. Some extracts from a letter of 1813, written by David Paine, show that feeling ran very high in this war, although David, the sprightly letter writer, must have his fun. After telling of the reported evacuation of Fort George and subsequent destruction in December, 1813, and that the exasperated British and Indians had surprised and destroyed Lewiston, also the fort at Niagara, killing about 200 invalids who were left in charge there, he adds:

"I hope it is not true—I fear very much fear—our army encamped on the northern frontier will be cut off before the winter end—Thus you see I am perhaps conjuring up Ghosts and Goblins to fret my Gizzard so mote it be—But reflections on the dreadful situation of thousands of our fellow mortals, hungry, naked, sick and wounded exposed to all the wintry blasts of the North—makes my heart sick and sad."

Militia.

For many years after the close of the War for Independence the militia was kept properly organized. Brigade Inspectors were appointed, whose duty it was to see that "every able bodied white male citizen between ages of eighteen and forty-five years" was enrolled. The only exemptions were for *all public officers*, from Members of Congress to school teachers; a curious list, found in an Inspector's letter of 1793. Members of the militia were expected to equip themselves, and were heavily fined for non-attendance at the drills, which at first were held once a week and later at longer intervals.

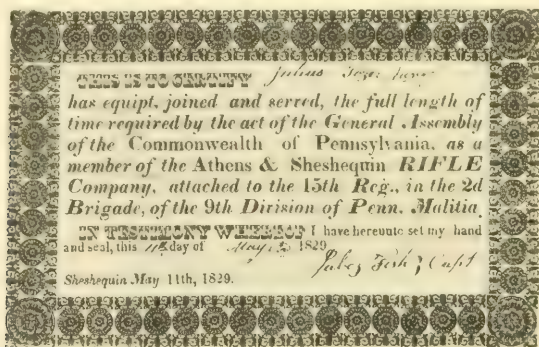
After Luzerne County was established, its militia was divided into several battalions for convenience. In this region the men were included in what was called "the Upper Battalion." In August, 1788, John Jenkins was Lieut. Colonel; John Swift, Major. Evidently by common consent, Franklin was to be Colonel, but at this time he was in prison. There were eight companies of this battalion, Tioga and Sheshequin including the men of these settlements. Little seems to be known about the number of men or appointment of officers. Company drills were held once a month, and later quarterly, and battalion drills at longer intervals. A little information is gleaned from Franklin's diaries, according to which there was neither a monthly nor quarterly meeting. In 1798, fearing war with France, Governor Mifflin issued a circular to all militia officers to see that their men were put into condition for active service, and when the call was made for volunteers, a company was raised of 75 men, with several recruits from Tioga Point, and attached to the Eleventh Regiment U. S.; disbanded after Jefferson was elected. In 1807 the militia of Bradford County was included in the Fifty-seventh Regiment. John Spalding became

Colonel of this regiment, which met at Asylum for drill in April and September, 1808. In 1820, according to a Militia roll yet in existence,

"The men of Athens composed the 6th Company, 15 Regt 2nd Brigade, 9th Div. Penn'a Militia; Capt. Elias S. Matthewson; Lieuts. Charles L. Hopkins and Isaac Tompkins; Ensign Julius Tozer, Jr.; Sergeants, John Snell, Guy Tozer, Wm. Briggs, Harris Murray, Harry R. Backus; Corporals Obad'h Spalding and George R. Stephens; Drummer Orrin Ballard; Fifer Lockwood Smith."

There is also mention of a Roll of the Athens and Sheshequin Rifle Co., 1825, Jabez Fish, Capt., and Julius Tozer, 2d Lieut.

Very little is known nowadays of the ways of the militia. "General training day" was looked forward to as a great event, when "exercise in the manual of arms and manœuvres" was indulged in, *or enforced*. It is said in later years the exercise was more of a farce than a drill. The Athens and Sheshequin Company evidently issued



certificates to their men, but whether as a discharge or exoneration from further service is not known. The accompanying cut is made from the only one ever seen by author. This company was uniformed, and their last general parade was held in Litchfield Center about 1836. There was, however, a later company or battalion in this locality, of which Horace Williston, Jr., was General, and Charles F. Welles, Jr., Colonel. In 1841, through the medium of the *Athens Scribe*, "Horace Williston offers himself to Volunteers and Militia of 2nd Brigade 9th Div. Penna. Militia as candidate for Brigade General." This looks as though the officers were chosen by vote of the men, although Col. Welles also had an appointment from the Governor, as had General Henry Welles after the reorganization of the militia according to an Act of 1811 to 1812. This battalion was equipped, according to accompanying cut, with a continental uniform of dark blue with scarlet facings. The portrait of General Williston (Chap. XIV) is taken in his uniform. The last meeting of this battalion was at Athens about 1850. The rendezvous was at Mr. Le Dioyts, who occupied the old Hollenback house. The drills and manœuvres were partly on the green and partly up and down the village street on horseback, where the gay uniforms, flashing swords and waving plumes made a brave sight, still enthusiastically described by

those who saw it with appreciative childish eyes. Mrs. Perkins tells of a "light horse company uniformed in blue and red with flowing sashes and nodding plumes making a fine appearance on their noble steeds." Z. F. Walker, who was present at the last general training, tells of a false officer "generalissimo," who led the van mounted on horseback, with gay regimentals and *gorgeous tin spurs*.



COAT AND HAT OF COL. C. F. WELLES

CHAPTER XVIII

1810-1827.

SETTLEMENT OF CLAIMS

Caton's Interest and Its Adjustment—Many Propositions for the Indian Arrow—Erection of Bradford County—Politics and Parties in New Bradford—The Washingtonian and Its Career—Renewal of Welles-Matthewson Controversy as a Party Issue—Seven Years Before the Legislature—The Final Settlement in 1827—Disposition of Caton's Lands

Having settled the claims of the Connecticut settlers for the present, let us return to the Pennsylvania claimants. While Richard Caton's letters of this period have not been preserved, there are a number of copies of answers to his from different persons. From these we glean that he had been on the alert for the possibility of compensation, according to the various new Acts of the State. Lockhart had never been paid the full price of the land, nor had he fulfilled his promise to make good the Welles and Caton title. Lockhart might have pushed his claim, but it could have been easily met by citing the fact that the State had recognized the Connecticut title instead of his. All this is suggested by Henry Welles' letter of 21st August, 1810, as well as the fact that Caton evidently proposed to sue Lockhart's estate for his losses, Lockhart having died in 1808:

"Dear Sir, I have omitted writing to you until this late day that I might be able to inform you of the progress of the Commissioners, who adjust the titles, under the Act for the purpose. They have got through and all the lands we expected are certified, except a strip on the north end of the Lockhart purchase. Contrary to the expectations of all the N. Line of the Township of Old Ulster only run to the big hill, (Mile Hill) as it is called. The laws passed at the last session of our Assembly are now printed and published, so that it is now unnecessary for me to transmit a copy, even if I had one; and indeed, I have none that is fully intelligible. As you want to consult a Pa. Lawyer on the subject of a recovery from Mr. Lockhart, you can of course desire him to examine the Act, which is now in every one's reach. The people of the towns of Athens and Ulster who have not been embraced in the present Act will petition for its extension over them, and I think it much easier to succeed than it was to get the first object effected. If it should be the case, the rest of your land will be certified. Mrs. M. made an attempt to recover the lands taken from her by the suit, but did not succeed. I should have been glad to have arranged with her to allow her to procure Certificates for the lots, but it was totally impracticable on many accounts. She did not accept the deed which you sent to me for the lot on which she lives, and by the first convenient opportunity, * * * I will return it to you."

Mr. Caton's next move was to employ an agent to go on the ground. It has been impossible to decide whether Edmund Lockwood came to this country as the agent of Carroll or of Caton. The letters suggest that it was only the latter, but Carroll had a large tract west of

the Tioga, and Mr. Craft says Lockwood came to look after that, and first settled in Smithfield. However that may be, Col. Lockwood was a Connecticut man, coming from Fairfield County; but his commissions show that he had residence in Pennsylvania from 1797 to 1810. From 1811 he was a resident of Ulster until his death in 1834, and his descendants are still living there. He married a daughter of Isaac Cash (an early settler first on the Point at Athens, and later at Ulster), the young widow of Dr. Robert Russell. The following letter not only shows that his coming had been announced, but gives an excellent idea of the condition of the Caton lands:

"Tioga Point 1st, January 1811.—Richard Caton, Esq.—Dear Sir: I rec'd your letter of 3 Dec. Maj. Lockwood has not reached here. I had hoped to have learnt from you what the prospect of a recovery from Mr. Lockhart's estate is.

"You mentioned in your last letter that the urgency of settling your acc'ts with my father was daily becoming greater. * * * It appears to me that an adjustment ought to take place before the trial of the case against Mr. Lockhart so that father may assign over his interest, and disinterest himself in all the business relating to Tioga Point, so that if necessary he may appear as a witness in the suit.

"He is willing to give up all in his power, and throw into your hands whatever you may recover from Lockhart's estate. In doing this he of course is a compleat insolvent in property, beside losing upwards of twelve years living in a country which every man who is competent to judge of its many comparative disadvantages dislikes extremely, and where very few make any money. My father has always felt himself an exile here; for myself I declare that the purchase of the 1/3 of the pt. as I made it was no object and if at this moment I had not engaged in it I certainly never should. I could get a much more comfortable living in many other places. The disadvantages of this place are very great, and not to be overcome. Its cramped confined situation will, it is the general opinion, hinder the growth. No mechanic or other person has an inducement to settle himself in this neck of land where it is so narrow as to afford no room for lots for cultivating grass or wood, while almost any other place has every advantage that we have and those that we have not. What little land there is, is poor, and held quite above what is thought to be its value. Every family wants a cow and some other stock. As things are, and for what I see must be, these must run hungry in the commons, and are always ready to break into the fields and flats and if the cattle cannot break in, the owners help them sometimes, in the night. Our flats are a scene of constant pillage. There we cannot make strong permanent fences owing to the frequent freshets, so we must be forever subject to these troubles. There have been freshets most every month these two years that have done more or less damage. When I think of the encroachments of the river in the different places, I am filled with alarm and uneasiness. It is very doubtful whether it can be stopt and if not it will ruin the flats.

"I am the more induced to speak of the disadvantages of the point, that you may the more correctly value your interest in it. Year after year passes away and no alteration is for the better, and I am quite tired of fencing the thing. By taking pains and assisting new comers very much, I generally lose money and friendship by it.

"I suppose you have by this time got the opinion of Mr. Hopkinson. I don't see that it will answer any material purpose to give the exact lines of the lots which are certified on the Lockhart purchase. They cannot be made intelligible without a map, *which I cannot procure*. The lots are just about of an average value with the whole tract. The quantity as I before stated is about 315 acres. However in order to give all the information in my power I will subjoin a list of the certified lots and will also make out a rough account or estimate of Connecticut purchases and disbursements made on the L. Purchase by G. Welles, and the purchases I have made since, with some remarks relating to the subject.

HENRY WELLES."

Unfortunately, the promised lists were not preserved with this copy.

It seems strange that he cannot procure the map made by James Pumpelly for George Welles in 1802.

Very soon after Mr. Lockwood's arrival, Stephen Tuttle, who had started "trading establishments" at Elmira and Painted Post, concluded that Wilkes-Barré was too far away, and that he would prefer to live once more at Tioga Point. Therefore, he made a proposition to Richard Caton to buy his share of the Point "below the forks of the road," evidently meaning lower end of Elmira Street. Considerable intrigue was the result. Tuttle proposed to exchange for the land some wild lands in New York State, as Welles had done; indeed, the tracts were contiguous. Caton held his lands very high, asking in exchange 1,000 acres more than Tuttle proposed to give; both were capable of driving a sharp bargain. Mr. Lockwood decided that he would like to purchase the same land, and proceeded to approach Caton unknown to Tuttle or Welles, making what he thought a better offer. As the property was in "eight pieces," Tuttle thought it not so valuable as did Caton. His letters to Charles and Henry Welles, whom he made his mediums with Caton, are very amusing. He is anxious, but not willing to appear too anxious, having other property in view as shown in the following extracts from a letter to Caton, written August 11, 1811, by C. F. Welles, in Tuttle's behalf, Lockwood having purposely neglected to send on the proposition. Mr. Welles thinks Mr. Tuttle's offer of 3,000 acres a fair one, and adds the following discouraging comments:

"The land remaining to you about and below Tioga Village lies in no less than nine disjointed lots (composing 103 acres), the best of which is threatened with rapid desolation on the river side, and requiring an immediate disbursement of several hundred dollars to defend it, and at last doubtful of safety. Of the other lots a part is an ungrateful gravel. The remainder can be made good, but is naturally unproductive, and until these tracts fall into the hands of a resident proprietor who will cultivate the soil with an owner's care, or render it accessible to purchasers on accommodating terms, the whole will continue unproductive and detrimental to the prosperity of the village.

"The farm, which Mr. Tuttle intends to purchase, if the arrangements with you fail, is situated in Wyoming Valley, contains 300 acres, 60 of which are alluvial, 70 good upland, house, barn, orchard etc., for \$4,000. Undoubtedly a better bargain than the Tioga Lots, but as the terms of payment may be less liberal, and deducting a much larger sum from active capital, and as Mr. Tuttle has been long an inhabitant of Tioga and is concerned in two trading establishments in this vicinity, he inclines to purchase here at the price offered, provided he can receive favourable intelligence before expiration of the six weeks."

Mr. Tuttle, being somewhat impatient, did not wait for an answer from Charles Welles, but a week later wrote to his brother Henry to intercede with Caton also. He had discovered or fancied that the Paines were negotiating for the same land (which was true), and was anxious to have the matter settled. A month later no answer had yet been received, and the resolution was soon taken to apply to the owner in person. On his return from the "long and tedious journey," he writes another amusing letter to Henry Welles. Mr. Caton held to a high price, stating "*the advantages that there was in the place and what a great place it would be at some future period when it should become*

the seat of Legislation for some great State that should be formed in the country." Truly amazing that such a man should still be expecting the erection of a new state, when all Connecticut hopes were blighted. However, he made some conciliatory proposals for which, said Tuttle:

"I thanked him kindly and came away sorry, tired, mad; next cursed my fate and so came on the way rejoicing; thus ended my long but fruitless journey. But I have not given up Tioga so yet * * * N. B. You need not excuse this scrawl, but when you are tired reading burn it and gess at what you leave. S— T—."

Now, Mr. Caton seems to have tied up all his matters at the Point by setting too high a price on lots and giving Mr. Tuttle an option. Whereupon Henry Welles writes the following explanatory letter:

"Dear Sir: Your refusal to sell has been the immediate cause of a family removing to Ohio for which you have the very hearty thanks of the whole neighborhood, and as there is and has been a negotiation by Mr. Tuttle for a purchase of your interest in and about the village, we have been prevented from trying to give the small spot that is necessary to accommodate us about the house, and there is no person who wants to buy who can pay directly for any lot. * * * Pray, Sir, be good enough to write Mr. Lockwood or myself and direct us what to do. We wait with impatience for your answer. * * *

"Mr. Lockwood was speaking to me this day about buying or leasing your land on the Point, and observed that he would write you on the subject of his offer for a purchase. You, Sir, are better qualified to judge, than myself, as to his offer of leasing, which is to clear 56 acres and fence that and the other lots completely and to deliver it up at the end of three years. I think it is not far from what is right and reasonable."

There was still another offer for the Caton interest, made by Mr. John Hollenback of Owego. This anxiety to purchase shows how certain all felt now about titles; and naturally, in Mr. Caton's mind, property for which there were four or five applicants increased in value.

Mr. Lockwood's proposition follows intact by reason of its quaint spelling and barter offered:

"Athens, 6 Nov. 1811.—Mr. Caton—Sir: I have made up my mind that if you and I can agree in the prise for the land on the point, all except the 200 acres (above Big Hill) on the North end of the Lockard tract, I will purches, If Such articles of pay as I Shall State Sutes you—Neat Cattle, Wheat, lumber, Pork & Whisky, to be Delivered at Baltimore. I think I can give you more than Mr. Welles & Tuttle has offered or will offer. The land is under very poor cultivation. I have stated to Mr. Welles that I will take the land for three years & put it in good repare. He thinks that would be about rite. I will give you Fore Thousand Dollars in such pay as heretofore stated, Without Interest, 2 years, and he Says that It is a better offer than there has been or Will be maid—for the land. I wish your answer as soon as possible. I shall Wait for it before I Return to Connecticut. If you should agree to my proposal, I should want the Lenth of payment to be Six years, the first Payment in Three years & so on. I wrote some time since and had no answer. Your Abedent Servant,

"EDMUND LOCKWOOD."

Tuttle continued in correspondence and negotiation with Caton, and not long after wrote a long, intricate letter to Henry Welles, full of repetition, etc., closing thus: "This is a dreadful mess of stuff and I think that you may as well burn it, its neither ledgable or clear." He feared that Lockwood and Caton were playing him a Yankee trick. A few months later he again visited Baltimore, but did not even see Mr. Caton, and remarks that "this has been one of the most perplexing d—things that ever I was concerned in, the embargo excepted." The affair

dragged along another three months when Tuttle writes: "I dont know what to do with Mr. Caton." A little later he writes that everybody seems to have something to do with it; or want the property, and that James Irwin was negotiating for the same. Henry Welles now writes to tell Mr. Caton it is the best sale he can ever expect to make, and that Tuttle seemed determined to go on.

The proposed purchase was to include land near the Welles home, and Henry begs that if Tuttle does not purchase he may be notified before any other sale, saying:

"I would be sorry to be in the hands of Mr. Lockwood. I beg you will spare me that embarrassment—I have reason to suppose I should be very oppressively dealt with."

For some reason now unknown Mr. Caton did not sell to any one, although the negotiations with Tuttle were continued some time, for February 20, 1813, Richard Caton writes to Henry Welles: "The arrangement with Mr. Tuttle is not returned because the land offered in exchange has not been examined; if a favorable representation is given of it, the bargain will be confirmed."

Mr. Tuttle's ambition survived a year or two, as in 1814 it was written:

"Mr. Tuttle has been here and would apparently unmoor his barque with us * * * but complains that the town is held in mortmain, that a stranger cannot get a permanent resting place for the soul of his foot, * * * and talks of the rivalry of a town which might be laid out on Mr. Shepard's land recently purchased on which Mr. Harris¹ resides, and talked with Mr. Keene on the propriety of investing money in such an enterprise."

About this time the banking system was being introduced; and Henry Welles, who was still in the Legislature, was anxious to have Athens receive some benefit from it, and wrote to David Paine to bring the subject before the business men of the town. The people of this region were greatly interested just then in the development of various turnpikes, especially "the Berwick," by the "Susquehanna and Tioga turnpike company." David's reply of December 13, 1812, indicates that he had interviewed the principal men of Athens, and that they agreed:

"If the matter is becoming general it is best to have a hand in it * * * it may help to promote our road, * * * that being effected, this place will immediately arise to some eminence among the country villages * * * a Bank of course would help to build us up, * * * I am at a loss however to know how we *poor D—ls* can make it *practicable*, but you perhaps can see 'thro' the millstone—do write me more explicitly on the subject and communicate all the secrets—if you dare * * * in particular your digested ideas of the contemplated system. Grain of all kinds is high price—whisky high and in great demand—the district collector has made his appearance among us and collected the duties on Taverns, Stills, merchandize &c." * * * "We go on the same dull round as usual, no holyday amusements, parties or merry meetings as in the 'olden time.'"

¹ Alpheus Harris, who had come as a hunter for the surveyors' party of 1786-7, was a son of Jonathan, already mentioned, and father of N. C. Harris—still a resident of Athens. Alpheus purchased the Connecticut title of several hundred acres close to the state line, including Spanish Hill. In 1810 Jesse L. Keene, of Philadelphia, arrived upon the scene armed with a Pennsylvania title to the same land. He brought a suit of ejectment against Harris, and of course won, though he seems to have been generous in his treatment. According to letters still in existence, Mr. Keene resided in Tioga Point for some years, but finally left on account of ill health. The proposed new town would have had the location of present Waverly, or South Waverly. Alpheus Harris was born at Colchester, Conn., m. first to Jerusha Miller and second to Elizabeth Clapp.

Possibly this social dullness was due to the preaching of Dr. Wisner, who, in 1812, had roused some interest and established the first church in the community.

In 1813 there had come to Athens a young man who became actively interested in the town interests, and later in the politics of the county. Edward Herrick, Sr.,² first came in 1806 to visit his brother Walter, who was engaged in mercantile business at Tioga Point, and later at Owego. Probably it was during this visit that Edward Herrick met Celestia Hopkins, for while he lived in Ohio for the next few years, he returned in 1810 to claim her as his bride. They returned to Ohio, where the brilliant young lawyer had many honorable appointments. But the wife pined for her own people, and in 1813 they braved once more the perils of the wilderness journey, returning to Athens in a carriage by a long and rough road,³ with their little son, Castle Hopkins. Their first residence was in the smaller log house on Matthias Hollenback's property, supposed to be the one built by Secord in 1778 or earlier. Later Mr. Herrick purchased lot No. 12 (now Er-canbrack property), occupied by Welles & Caton's store. Here he erected a pleasant home, which



CELESTIA HOPKINS HERRICK

was occupied by himself and his son, and when it burned, another house was built and occupied by Edward Herrick, Jr., his grandson, until 1881. Mr. Herrick had been admitted to the bar in Ohio in 1808, and immediately began the active practice of law in Bradford and adjoining counties. He became at once the warm friend of Henry Welles, of whom later he was a bitter political enemy. His letters to the young member of the Legislature are full of knowledge, and interest in the town and State, with a vein of sarcastic humor, as when commenting on the vote of the members to increase their own salary:

"What could be more wise than to add to the fees of the worthy for their arduous toils for the preservation and liberty of the republic.—Who more worthy than the sons of Confucius! and who better judges of that worth though I doubt the propriety of too much liberty in making such provision, you know money is the rock on which the heterodoxical build their pretensions and right to unlimited control,"

² Judge Herrick's biography will be found in sketch of early lawyers. The portrait of his wife is crude, but of interest because it was painted by her son Curran, who had artistic ability which was never cultivated.

³ Their driver was a devoted and faithful colored man, Peter Carlisle, who remained in this vicinity, and whose descendants are among us to this day. Peter was long the ferryman over the Tioga.

A remark of value now even more than then. He expressed considerable anxiety among the people of Athens, as to the better days now hoped for in town and country, mentioning the delayed turnpike as the anchor of future hopes, and urged upon Henry Welles to persuade some of the great capitalists in Harrisburg, Philadelphia, etc., to speculate in turnpike stock; not because he had much personal investment, but "because I feel the pride which all feel for the success of their abiding city." In this letter of March, 1814, he mentions "some little stir in the town." Jeremiah Decker, who now leased the Hollenback store, had purchased the Hopkins house (now part of E. H. Perkins property). Rev. William Wisner had purchased the lot now W. H. Minor's, and was erecting a small log house; and Michael Tharp, another Pennsylvania land agent, lately come to town, was building the house on the river bank, afterwards the home of Judge Herrick for fifty-three years, and still occupied by his heirs. These changes Mr. Herrick notes as "inconsiderable movements in our Considerable Town."

Various events of the preceding years have here been overlooked. For several years, beginning with 1812, a peculiar epidemic swept over the valley, called the "Sheshequin fever," the "cold fever," and the "cold plague." When it came no treatment or medicine availed; that it was contagious is evinced by the fact that several in one family would sometimes die within a few days or even hours. The first symptoms were chills, or, as described at that time, "an ague which lasted for ten or twelve hours, followed by a peculiar exudation from abdomen or loins, then collapse and death." It was a notable fact that only adults were seized, as it is recorded that no person under fifteen years ever succumbed. The disease generally abated in the summer, and resumed its ravages in the winter. All were in fear, and devoutly gave thanks when it passed them by. The most severe epidemic at Tioga Point seems to have been in 1813, knowledge being obtained *only* from a letter written by one of the Tozer family to her sister in Ohio, Mrs. Hugh Alexander. This tells that their "friends are all well but the fever still rages. Mr. George Welles was buried the 21st of July, also Pam. P. Prentice and many more not of our acquaintance." Another tells that Dr. Hopkins finds himself powerless to combat the disease, a strange one, indeed.

The death of George Welles was a serious blow to his son Henry, who, being the oldest of the family, seemed to feel very keenly the additional responsibility thrown upon him; to which he had added his own, as the previous year he had married Sarah, daughter of John Spalding of Sheshequin. His devotion to his mother and brothers and sisters was most unusual, as evinced in letters full of affection and concern. His responsibilities, however, were shared by his younger brother, Charles Fisher Welles,⁴ now a promising young man, who in 1812 had been

⁴ Charles Fisher Welles, second son of George Welles and Prudence Talcott, was born at Glastonbury, Ct., November 5, 1789. The family removed to Tioga Point August, 1799. A few years later Charles returned to Connecticut to attend Bacon Academy, where he received his little advantage of education under Dr. John Adams. "During his boyhood and youth he developed a taste for poetical study and composition, which apparently was not indulged beyond his twentieth year. A natural diffidence prevented Mr. Welles from pursuing the practice of the law, for which he had prepared himself by the usual course of study. The knowledge of legal principles thus acquired was, however, of great service to him in the care of his estates,

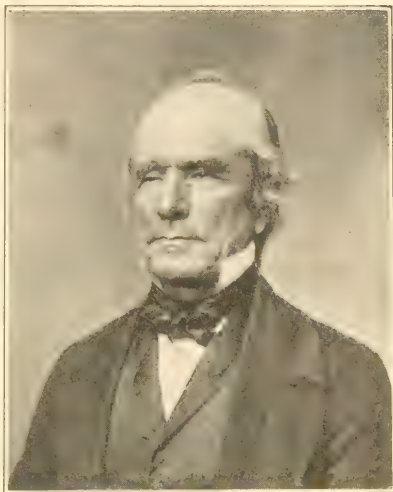
commissioned by Governor Snyder, Prothonotary, Register and Recorder and Clerk of the Courts of the new county of Bradford; offices held for six years, during which he exercised a considerable influence in the politics of the county. It has recently been said:

"The old court records of Bradford Co. are easily used at present, undoubtedly due to the painstaking and conscientious labors of the late Charles F. Welles."

The year 1813 was one of considerable advance at Tioga Point. Henry Welles presented a petition to the Legislature from the members of the old Athens Academical Association, and was successful in procuring an appropriation of \$2,000, further account of which is given in a later chapter. He was becoming a very ambitious member, and was shown considerable attention; being placed upon important committees, and proving quite successful in his various legislative endeavors.

It is a little difficult to understand why Lockhart's title to Tioga Point did not hold good to the exclusion of all Connecticut claimants, except those who were the actual proprietors of old Ulster, and yet all the certificates granted within the confines of the Lockhart warrant, although claimed under old Ulster, were to people *whose names have not been found on the list of the first proprietors*, but many to those of the second grant, as suggested by Thos. Cooper. After the patents were issued, Richard Caton instructed his lawyer, Mr. Hopkinson of Philadelphia, to bring a suit against the state according to the law; and in February, 1813, complains to Henry Welles that Hopkinson "has delayed to inform himself of the exact nature of my claim," possibly because he had never received compensation for conducting the ejectment suit against Mrs. Matthewson in 1808. However, only a month later, March 29, a supplement to the Compromise Act was passed. Not

and it was said of him that no man in northern Pennsylvania had so extensive and accurate a knowledge of the nature and situation of land titles and the laws bearing on them. When asked the secret of his uniform success in his numerous land-suits, he replied, "I always know my case before I begin." He was a man of varied and extensive reading, fond of the natural sciences, geology being his favorite study." He was thoroughly conversant with the early history of this region, and communicated his love of it to the writer long years ago. As will be shown he wielded his "eagle's quill" with power when the necessity arose. Pleasant and genial, an instructive and delightful talker, his "old castle" at Wyalusing was a charmed spot to all the children of the younger generation in the family circle. Tall and of erect and dignified carriage, his port was that of the old-school gentleman. To some who knew him his retirement from public life was a disappointment. Said one, while admitting the existence of defects, "but who has his power, his pathos, his tenderness, wit, humor, eloquence? * * * If he had been forced into the world, and compelled to grapple with great questions, either literary, scientific or political, he might have been one of the first men of his time." But he chose to spend his life with his wife and children in comparative retirement at Wyalusing; where he died Sept. 23, 1866, from the effects of a fall from a carriage.



C. F. Welles

having seen the H. R. daily proceedings at this period, we do not know if Henry Welles was active in obtaining the passage of this law. But it seems an appropriate place to give some extracts from a letter of Caton's written when he surmised that Welles was in the Legislature:

"If there, you must see that the public mind is precipitated by a too great impetus of feeling and passion. That measures fraught with evil consequences are hurried into laws that will incorporate themselves with the political existence of the state. That the mature judgment of age which takes caution for its guide is silenced by the impetuous voice of schemers and speculators, and that the rich store of national experience drawn from the history of the old world is deemed trash, and inapplicable to the character of man on this side of the Atlantic, as if he were not governed by the same errors, the same feelings and the same virtues and vices. Disguise ourselves as we may, call ourselves by what name caprice or self love may dictate, we will find that man is the same being, pursuing the same objects by the same means that his forefathers did; and painful as the catastrophe will be we shall find that we have wasted like a prodigal the abundance of political happiness which Providence gave us, and we shall transmit a curse to future generations by manifesting to the world that we have neither virtue nor wisdom enough to live free. Heaven grant that *our days* may be exempt from the crisis, but I do not think and dare not hope they will."

These impassioned utterances seem worthy of a great statesman, and may have stirred Henry Welles to make the telling speech already alluded to. The supplement of 1813 having made the methods of procedure very clear, Mr. Caton employed Garrick Mallery of Wilkes-Barré as counsel in place of Hopkinson, and suit was brought in the Bradford County Court, summons being first issued June 15, 1813. The distance at which Mr. Caton lived proved a great hindrance to the progress of the case, the State requiring every paper in the chain of title to be submitted. Much as he seemed to desire the matter settled, having made a claim for damages of fifty thousand dollars, the case was put over again and again, awaiting the arrival of the necessary papers. Mr. Mallery turned to Henry Welles for assistance, many of his letters being still in existence. In November, 1814, he wrote:

"There is still some defect in the chain of title and God only knows whether we shall be able to obtain them from Mr. Caton * * * we *must* be prepared for trial at the next court. I despair of ever obtaining the papers * * * The deed from Harper to Carroll it is alleged is lost, it may be supplied by the deed of Harper and Carroll to Caton in 1813 &c."

This is the only record of the retransfer of the property to Caton, but proves that the property did not long continue in the name of Carroll. Mr. Mallery was at last successful in obtaining all necessary records, and the suit, which had been continued from term to term for three years, was finally tried at the September court of 1816. The jury, which was composed of representative men of Bradford County, rendered a verdict for the plaintiff of \$1975.28, their valuation of the 319 acres certified to Connecticut claimants under the Bedford and Ulster Act. On the application of Richard Caton to the Board of Property, January 22, 1817, the title papers were examined and the verdict approved. Three days later Henry Welles wrote to his brother:

"I am glad to inform you that the judgment in the case of Caton vs. Commonwealth has passed the ordeal of the accounting department and the money paid. It was done promptly and honorably by the officers of the Government.

* * * This event is a very desirable one, that Mr. Caton should be paid, and the titles to the contested land on the Point placed on a safe footing; they are now among the safest in Pennsylvania—the whole from first to last has been well done."

It is noticeable that here the Commonwealth seems to have lost money. Lockhart had paid originally to the State about \$270, and the patents granted to the Connecticut settlers had brought in but a small amount. Lockhart had received only one-fourth of the purchase money from Welles and Caton, yet he had profited. Caton had paid that fourth, \$3200; but he had now received more than twice as much, aside from his sales, and was assured of a clear title for both himself and Henry Welles, apparently. And yet at the very date Welles wrote:

"It may well be questioned whether titles will be very safe and perfect in the state if certain people have their wills. The settlers bill has passed the H. R. this day after four days continual debate. In form it is very good, and freed from the most objectionable features of last year's bill, so that I shall support it, but I fear in vain,—Senate is very determined on most questions, and perhaps more on this than almost any other. I shall incur the odium of having defeated it again, but no matter, I will not trouble myself with anticipations."

A few weeks later he writes the bill was lost by a majority of one vote, adding:

"My position has produced a considerable change in favor of the principles of indemnity to settlers, but not enough to effect the object; indeed I very much doubt whether it will ever be effected."

The Settlers Bill or Cause, as it was generally called, was at this period one of the most important matters to the Connecticut settlers, who had not been granted certificates; and many of whom had later suffered ejectment at the hands of the Pennsylvania Landholders' agents. Ninety-two such cases were listed in the "Seventeen Towns" in 1818, and many were in the half-share settlements of this region. The "Settlers plea" was for indemnification in case of ejectment. The petitions for this Act, sent from Bradford County, both in 1817 and 1818 were written by C. F. Welles, said to be "*well and ably drawn, and highly spoken of among the members.*" They protested against a blind application of British forms, because in the British Isles the lands were all improved, while in Pennsylvania it had been all wild lands of little or no value. Here "*the settler's improvement increased the value of the lands fifty times without any estimate of his labor.*" His so-called trespassing had been felling the trees, opening roads, building fences, tilling the soil; how could he be called a wrongdoer? Moreover, the settlements had been made permissively, with tacit consent or even general encouragement. Instead of being a *trespasser from the beginning*, he was rather a benefactor and really had an *equity from the beginning*. Often these settlers had had residence for a score of years, yet the laws now permitted the landholder to eject him without a penny of remuneration for all his years of labor, and with no possible claim, as in English countries, for *rent or damages*. Under these circumstances what would the settler do but appeal to the Legislature for some protection of his interest? Though the first bill was lost, it was by so small a majority that the Settlers' Cause was made an issue of the gubernatorial campaign of 1817. A strong point against Joseph Heis-

ter, the Federalist candidate, was, not only that he was a landholder pledged to his Philadelphia supporters to defeat this movement; but in 1801, when the landholders tried to make the Legislature march 2,000 troops into upper Luzerne to drive off the settlers, and more than 1,300 of the inhabitants of Luzerne petitioned Congress to protect them, their own Representative, Joseph Heister, was chosen to present this petition: and he refused to do so, having doubtless fairer reasons than are attributed to him. While the complications arising in those unsettled times are often incomprehensible, the Settlers' Cause from present view point would seem to include that of the half-share men, which had been serious since the Intrusion Law and the repeal of the Act of Limitations of 1785, so far as relates to the Seventeen Townships. By this they were practically outlawed.

In the case of *Satterlee vs. Matthewson* the eminent Chief Justice Huston considered the Settlers' Cause as did President Judge Scott of Luzerne a little later. After presenting a statement of their sacrifices, sufferings, etc., Judge Huston said, "Are such people outlaws—God forbid! They are not to be so considered."

The Act of Limitations was a general law passed 26th March, 1785, limiting the time during which actions for inheritance or possession would lie to twenty-one years. The so-called territorial act, suggested by Cooper, and passed in 1802, had for its manifest object "to cut up by the roots the title of Connecticut in all other parts but the seventeen townships."

Findlay having been elected, the bill again came up, and was placed in the hands of Henry Welles in the Senate, who wrote February 6, 1818:

"I entertain but faint hope of the success of the settlers' bill in the Senate; there are seventeen votes dead against it, and great talents. I cannot bear the thought of its failure in my hands; it is the only measure I ever failed to carry when I exerted myself."

It was presented to the House in an impracticable form, exciting alarm and weakening confidence in the cause and its supporters. Henry Welles, though assured of its failure, went through the longest debate he had ever conducted in the Legislature, receiving many compliments as having "conducted the bill with great ability." A second debate followed a week later, when he again "spoke upwards of an hour—and then just lost the bill." How instructive and interesting must have been all these debates in the Legislature on questions concerning the Connecticut claim; lost, alas, to history, as there were only meagre notes made in House journals. Among Henry Welles' papers has been found a long and remarkable address, no doubt one of those made at this time which shows not only considerable ability, but also a fair-minded attitude toward the Connecticut claimants, which has not always been attributed to him. As the paper is undated and has no heading, it is difficult to decide just what the measure was, so many were proposed at that period; but he mentions that the proposed act is to quiet the Pennsylvania claimants, whose lands were surveyed in the Connecticut claim between the dates of the confirming and the compromising laws,

"all others having been provided for," and the Pennsylvania claimants' only refuge being the ejectment process. In this speech Mr. Welles proves that the Commonwealth has sold the land twice, and concludes with the remark that it would have been better to dispossess the inhabitants with the bayonet and the rifle, that they would have been driven into a state where it would have been safer to rely upon Acts of Assembly. The whole speech is a scathing rebuke to Pennsylvania, as regards the various "quieting acts." It was doubtless this to which he referred in letters of February 6th, 19th, 24th and 28th, 1818. The exact purport is not known, but in the Senate journal the bill under discussion at these dates is entitled "A further supplement to an act, entitled An Act offering Compensation," etc., plainly meaning Compromise Act of 1799. Henry Welles writes that:

"Hill reported the same insane bill that excited such alarm last year, wholly impracticable and weakening the chances, and the confidence of unsettled moderate men in us and our cause. The opposite party rejoice in this development of our views as they maliciously call it. * * * I have just gone through the second debate upon the bill compensating Pennsylvania claimants, spoke upwards of an hour much to my own satisfaction—and then just lost the bill. Do you think it might be worth while to show a little vanity and insert into a newspaper a sketch of remarks upon the bill; I have a mind to send you a sketch, and if you think worth while publish it; and if not it will not mortify me. I will think of it, and perhaps send by Mr. Sharp (bearer of letter)."

This was written to C. F. Welles, then controlling editor of the *Bradford Gazette*. The sketch does not seem to have been published. (See Appendix C.)

It is necessary now to retrace our steps for a time and gather the loose threads. In 1813 John Bannister Gibson, afterwards considered one of the foremost jurists in Pennsylvania, was made President Judge of the Eleventh Judicial District, composed of the counties of Tioga, Bradford, Susquehanna and Wayne. He was expected to live at Tioga Point, but did not. He held the office for three years, and was promoted to the bench of the Supreme Court. The first court was held at Towanda that year, and proved a great convenience in the region which had known little law and order. In 1814 William Briggs, who afterwards built the Exchange, came to town with his brothers from Berne, Schenectady County, N. Y. This year David Paine lost his lovely wife, and it was written "the death of Mrs. Paine has darkened Tioga."

Perhaps, because of the pending suit, Richard Caton now refused to sell any detached lots, a decision detrimental to the advancement of the town, and very trying to General Welles and Colonel Lockwood. (The Governor had now appointed Mr. Welles on his staff, with the rank of General, a title by which he was ever after known.) They had found lots could be sold for higher prices, and had made several sales which Caton repudiated. He had some wild lands also, as Colonel Lockwood wrote that he could not find any surveyor that would undertake to run out the lands on Pine Creek, for the curious reason that "pork was not to be had at any price for to keep the hands on."

In spite of these sales sufficient money was not collected to pay taxes on Caton's share of the Point, and Colonel Lockwood had spent all of his means to lay out a road from Towanda, now the county seat,

to the State Line, and the Sheriff threatened tax sale. In 1815, in a very dignified letter, Henry Welles intimated that he would prefer to have no further responsibility as to the property or papers of Mr. Caton, but that they should all be under Mr. Lockwood's care.



SATTERLEE HOMESTEAD, 1847

at "Spring's Corners." He had a keen sense of wit, as shown in a few of his letters that have been preserved. His daily diary must have been excellent reading. Unfortunately, that and many other papers were lost in the fires which destroyed two successive Satterlee homes. Even business was humorously transacted by John F., as shown in a letter to Stephen Tuttle in 1813:

"Dear Sir, Yours came to hand last mail, covering a ps of democratic paper on which I had the honor of writing a note for \$500—dear paper—which is inclosed. The other day had to pay only \$15 for the privilege of retailing goods under the mild administration of King James—God and Congress only know what will come next."

About 1815 he decided to buy the old tavern built by James Irwin, afterwards kept by George Welles, and later

John Franklin Satterlee, son of Elisha, had now grown to manhood, and was fast becoming an influential citizen, with active interest in progress of town and county. In 1808 he married Julia Prentice of Milltown, and a little later he began mercantile business in the Prentice home



by David Paine and his brother Enoch, who lived in Athens from 1808 to his death, in 1816, and was engaged in mercantile business with his brothers, obtaining most of their goods of Orrin Day of Catskill, and bringing them overland. The old tavern was in Caton's share of the village plot; some one must have attempted to make trouble, which Jesse Keene helped to settle, as per letter written from New York, September, 1815:

"Dear Frank, *Good News*—is better than Bad at all times. I have seen Mr. Caton, he told me to inform you that the Property is yours *irrevocably*, to give yourself no uneasiness; on his return to Balt'o he will confirm it to you by letter. How is the *Mighty* fallen. Believe me your friend, KEENE."

Probably Mr. Satterlee was already in the house, as he made application for a license in Athens that year, with many others; to wit, Saltmarsh, Paine, Murray, Decker, Jacobs, Dunlap, Granger, Johnston, and even Dr. Hopkins, of whom it has been said he never had a license. This list of applications is still preserved with the following message on it addressed to Satterlee: "*Observe secrecy—it's the soul of business.*" The tavern changed owners again in 1828.

Early Political History of the New County.

The political history of Tioga Point and Athens, if it could be completely written, would make an interesting chapter, but the material at hand is insufficient. However it is doubtful if politics have ever been as lively in *Old Bradford* as during the time when it was *New Bradford*. The period from 1814 to 1818 was an epoch of its own. Much has been gleaned from letters of this period, also from such old newspapers as have been accessible. It is a matter of regret that there seem to be no *complete* files of the various publications of the Bradford County press of this period; also that such as there are seem to be jealously guarded. *Many inaccuracies of history are due to the fact that the most earnest students are refused access to necessary sources of information.* Having delayed our work, hoping for more complete data, it now seems necessary to make the most of that at hand. In considering the politics of this epoch, a general idea of conditions is essential, which in this case is drawn from Mr. Craft's introduction to his account of Bradford County political history:

"On the adoption of the constitution our people were almost unanimously Federalists * * * the chief reason being that they thought the questions relating to the land controversy would be definitely settled in the federal courts. But after the decision of the U. S. Circuit Court in 1795 *against the Connecticut claimant* in the case of Van Horn vs. Dorrance, the settlers had less confidence in the fairness of federal courts, and became alienated from the party. In addition several acts of the Adams' administration made the Federal party unpopular, and in 1800 many voted for Jefferson; the following 4th of July was celebrated in many parts of the country with great Democratic rejoicing."

It may thus be seen that the sentiment of the Connecticut settler was originally against the Federalists. In the election of October, 1812, county officers were elected for the new county. This was the first time the people could express their vote by themselves. Curiously enough every elective officer was a Federalist, although the Federal

majority was not large. The previous elections, from 1800, had shown that in the country of the half-share men the questions arising from the land controversies overshadowed all national political issues for a score of years or longer. Yet at this period the Connecticut settlers seem to have become Federalists, and the Pennsylvanians, Democrats (or old time Republicans). Charles F. Welles and his brother, General Henry Welles, were Democrats; and in 1814, in connection with General Samuel McKean and other prominent politicians, they started the *Bradford Gazette*, published at Towanda or Meansville. Burr Ridgway was the editor, but C. F. Welles was the power behind the throne. While party spirit ran very high, and political writings were strongly tinged with partisan animosity and hostile criticism, it was said:

"His articles on political questions were marked by a breadth of view and urged by a cogency of reasoning that carried conviction to the mind of the reader, while the corrupt politician received scathing rebukes from his trenchant pen."

In presenting the story of this period it will be easily seen that then, as now, no one's character was safe who was active in politics, and both parties appear corrupt. Regardless of name or fame, we will give both sides as far as obtainable. Having no *Gazettes* of earlier date than February, 1817, let us begin with the advent of its opponent, the *Washingtonian*, said to have been published for about two years, beginning with the issue of September 2, 1816. The editor was Lewis P. Franks, a man of keen intellect and an able but trenchant pen, supposed to be in the employ of certain "Sheshequinians," notably Simon Kinney, then County Treasurer; Joseph Kingsbery, and Col. Harry Spalding. The following extract from a letter of Henry Welles to his brother indicates a still deeper purpose in the establishment of the scurrilous sheet, whose motto was "I claim as large a charter as the winds, to blow on whom I please."

"Dec. 9, 1816. Harrisburg. * * * I want also, if there is anything worth notice in the Wash(ingtonia)n, that it should be sent to me by post regularly; the Bradford Gazette will come, of course. You are on the spot, and know the events that have taken place, and can anticipate with some certainty the intentions of our opponents: and on your opinion as to the expediency of attacking the supporters of the Washn I will rely, and act accordingly. I have been told since my arrival that that paper is established in the country up Susquehanna as a part of the system that is now zealously acted upon in the state generally by the Federalists and old-school men; I mean that of establishing presses in various parts for the purpose of overthrowing our party: 'tis said the W. . n is supported by donations in Phila. I send to you the Harrisburg Rep(ublica)n of this morning: you will see a mode recommended by the electors of collecting the opinion of the republicans in the state as to the person who shall be supported as the candidate for the next Governor. I hope you and the other democrats of the county of Bradford, & perhaps Tioga if practicable, will attend to the business, and either elect at your court some democrats to act as delegates & send them down here, or if you can confide in us, authorize McKean and myself to perform that service; don't omit this."

Some old memoranda say that Thomas Overton and Michael R. Tharp were the real founders of this paper, these men, representing many Philadelphia landholders, and both at this time having acquired a very unenviable reputation from fraudulent dealings with settlers in Ulster and Smithfield.

But doubtless the Sheshequinites promoted it on purely political grounds, and since the two Welleses and McKean were in office, therefore they were made the butt of all the abuse of the "Peter's Patterns," as the paper was called, for people loyal to Washington resented the use of his name. The sheet was published for at least one year, some say two; but probably it was only in connection with the elections of 1816, and the campaign for Heister against Findlay, in 1817.⁵ While it was supposed to be a weekly paper, not many copies are now known, although several numbers are proven both by letters and by the *Bradford Gazette*, which paper was called by Franks the "Chronicle of Slightness." That there was a brave fight to prevent the publication of this or any Federalist paper is shown in the issue of November 4, 1816. In the first place several columns were devoted to "The suppression of the *Mirror of the Times*, a paper of which little is known to-day, except that it was suppressed in a most arbitrary manner, the whole printing outfit having been stolen in the night and carried first to Tioga Point and later to Newtown. C. F. Welles was said to be the aider and abettor, but nothing is now known of this high-handed robbery except what is found in the *Washingtonian*. In the same number the editor accuses Burr Ridgway (who was postmaster as well as editor) of having suppressed Franks' letter, known to be an order for paper from the mill, so that none arrived and no *Washingtonian* could be issued October 21st or 28th. The abuse of Welles and McKean was open and constant; and in a very short time a most useful weapon was found in the Welles-Matthewson controversy, which had seemed to be abandoned after the visits of the commissioners under the Bedford and Ulster Act.

We have not seen the issue in which this matter was taken up, but it is made plain in the following extract from a letter of Henry Welles:

Feb. 18, 1817.—"The Wash—n is at us again, and the editor has sent on a number of papers to members here; the only effect so far as I know has been in my favor. I felt no mortification in consequence of it. Every one who speaks of it takes the occasion to compliment me in some way or other: they say the character of Franks in Phila. is infamous. I rather think, however, that that part of his charges relating to Mr. Caton and the Tioga settlers might be properly replied to. I wish however to leave it with you in this case: appearing to inculpate me in a private capacity as an honest man, it is different from political squibbling. The Settler business is Mrs. Mathewson's affair. You know all about that transaction: you know I gave her \$200 after all was over and paid all costs, let them have the land, offered a deed to the lot & house, &c.: this was after trying to buy. The suit was not brought until all other means had failed: the property was mixed up with our other lots, &c.; and Kings-y remarked emphatically when I offered the \$200 that I ought not to have given her a cent; that he would not, after all that had passed. I mention these items under the idea that perhaps it may be best to reply by way of vindication. I think it is, and hope you will think so too, and take the trouble for me. As to the Bedford & Ulster act, you know all about it: Mr. Caton acquiesced in all.

"It has been my decided opinion that we ought to make our opponents fear us a little, as well as hate us a good deal. I have got over what little uneasiness I felt at being paragraphed in a newspaper."

⁵ Sept., 1817, a Democratic-Republican meeting convened at the house of Wm. Means, Jr., in Meansville, for the purpose of using all laudable measures to promote the cause. Committees were appointed in each town. In Athens, Col. Julius Tozer, Maj. Zephon Flower, Daniel Park, Johnston Miller, Noah Murray, Jr., Ludowick Green and Dr. Ozias Spring.

The attack on Henry Welles was prefaced by an article in the *Washingtonian* in which he was sarcastically called "the Settler," who was settled for a short time only:

"His race is nearly run, and his malicious slangwhanging &c. will be carefully investigated in a future number of the *Washingtonian*."

The next *Gazette* indulged in considerable scoring of Franks and his backers. The editor was called "a certain flippant little Englishman," and every previous issue of his paper reviewed in scathing and scornful language. As the attacks became more violent, "Paul Thistle" took up the pen in the *Bradford Gazette*, writing a series of letters in which he tells:

"Not only the regular issues, but many extras and even handbills have been stuck in everybody's face and dropped at everybody's door, * * * Uncle Simon bestrode the circuit to reel off his reflections about it, Joseph Kingsbery hawked it, Harry Spalding peddled it, John F. Satterlee blowed it, George Kinney twanged it, Thomas Overton puffed it—Sheshequin rang with acclamations, busy were all the lesser fry of blowers, peddlers and puffers. * * * But what a change now that Thistles begin to grow at last. *That means us*—screams Sheshequin; *That alters the case* yells Uncle Simon; *That's our store* says Harry Spalding—Out upon the wicked thistle. How comes it that the Thistle creates so different sensations. This is the secret,—TRUTH is the *sting of Satire* and JUSTICE is the *power of language*."

The Thistle also says that the *Washingtonian* is more than abusive, it is insulting, and an aggression against public decency. Naturally, it was not silenced and the war of words continued to be waged. No stone was left unturned to injure not only the Welles brothers but Samuel McKean, who was accused of pocketing \$2,000 State road money, passing counterfeit money, etc. Mr. McKean replied at length to this allegation, saying he rejoiced to have the opportunity. Various other men of the county responded to the untruths published by Franks, who was denounced as a besotted blackguard, although he claimed his object was "Union, Toleration and Reform." In May, 1817, it was written, "the *Washingtonian* has been for ten months abusive," which would indicate that it was first issued in July instead of September. July 6th General Welles wrote to Paul Thistle:

"As to the controversy in your place, the last Thistle has placed it in a most curious light; it is ably drawn, the language the most galling that can be framed * * * Although they will love you very little better for it, I think they will respect you fully as much. How far it may be worth while to proceed I leave with you; we all know that Peace is desirable, and I am fully aware that we can make it if we please when we please."

"In the *Hornet* (possibly an extra) allusion was made to the dead—to our father and other connections, who Heaven knows possessed the substance of qualities infinitely before the progenitors of the scamps who are our opponents—that being done it may be worth while to retaliate by bringing their progenitors into view in a glancing way."

He then tells that one Sheshequinite ancestor left Connecticut to avoid the penalty of being concerned in counterfeiting Continental money, and that another of great repute laid the foundation of his estate by applying military warrants entrusted to him to his own purposes, also that the "*driving of asses* (as the paper had dubbed the mule buying of George and Ashbel Welles) *is full as honorable as counterfeiting*

money or a breach of trust. Such things are not to be tolerated, or palliated, but upon the ground of retaliation."

In August the attacks became so fierce that Henry Welles published a card in the *Gazette*, addressed to the owners of the *Washingtonian*, alluding to the fact that although they had several times promised an admiring world a history of his "hooking the farm," it had never been given. Whereupon he challenges them—the owners, not the editor, to make out their accusations in intelligible language. Not only that, but to have the whole matter tried by jury, saying at close: "*I assert that nothing in the whole course of purchasing and paying for the property in question was illegal, unjust or inconsistent with the nicest honor or the most scrupulous delicacy * * and I also assert that nearly if not all of you gentlemen know it, and have known it from the first.*"

With the election of Findlay and downfall of the Federalists, the issues of the *Washingtonian* ceased. Not only so but the Sheshequin-ites disclaimed all part in its abusive attacks, laying all the blame on their editor, which the little scoundrel retaliated by offering to lash and expose his former employers without mercy, as they had even claimed that he was the means of losing the election. The whole State seems to have been cognizant of the matter, several distinguished Federalists of Philadelphia having inquired what kind of men the "Sheshequin-ites" and their friends were, to employ such a blackguard as Lewis P. Franks to print for them. William Petrikin of Bellefonte, wrote to C. F. Welles congratulations on the election of Findlay:

"I have received the Bradford Gazette for some weeks for which I am indebted to your attention. It appears to be one of the most spirited papers in the state, indeed I scarcely see any to match it. The editor appears to be a gentleman of life, vigor, courage and intellect. He whips naked through the world the blackguard who conducts the Tory paper in your county."

While Franks and his day were over, Eliphalet Mason, the County Commissioner, seemed desirous of continuing the fight, the one idea now being to remove C. F. Welles from office. Indeed, Mason was reported as saying that to put down the Welleses was his great object. He bargained with Spalding and Kinney for the *Washingtonian* office, although he never published any paper. He wanted and obtained one of C. F. Welles' positions for himself. Henry wrote in the most affectionate manner that he thought Charles had been too open in the newspapers. Now even Colonel McKean "opposed him on principle." Governor Findlay frankly confessed that he did *not know what to do with the opposition against the Welleses.*" Colonel Samuel Satterlee hearing of McKean's defection wrote to General Welles expressing regret, etc., and paid this tribute to his brother:

"It is a solemn fact that in our green woods (Smithfield) the people almost to a man were in favor of Charles, they were for supporting him in office because he had been faithful not only in his official capacity, but in the political cause of our *County*, our *State* and our *Common Country*. Shall he at this period be removed for standing firm to his post in time of most imminent danger? No, all that is dear to patriotism forbids it."

Nevertheless Governor Findlay yielded, the offices were divided, and George Scott and E. Mason were appointed successors to Charles.

July 1, 1818. Naturally he was disheartened and disgusted with public life; especially by the defection of McKean, and its accompanying circumstances, as evinced in the following clipping from the *Lycoming Gazette* of December, 1818. Shortly after this he left Towanda and settled at Wyalusing, where he spent the remainder of his life engaged in agricultural pursuits and in the management of large landed estates of Matthias Hollenback, whose daughter Ellen he had married in 1816.

"To the Editors of the *Lycoming Gazette*—Gentlemen: In the *Lycoming Advertiser*, dated October 28, an article respecting the politics of Bradford County appears, in which it is roundly asserted, 'that the Welles's' have been '*discarded from the republican ranks, and have sought refuge among the federalists.*' This needs no answer in Bradford County, but as the republican integrity of Henry and Charles F. Welles is thus attacked, it is but just that our republican brethren of Lycoming should know *who has* 'sought refuge among the federalists.'

"All the real contest which took place, was at the township elections for delegates. Advertisements were posted, as usual, for the 'Democratic Republicans,' but, to the astonishment of all such, the friends of Gen. McKean *called in the federalists to their assistance.* In Athens Judge Herrick got together nearly every federalist in the township. In Towanda, Wysox, Orwell, and Wyalusing, the old Washingtonian federalists, were called in by Gen. McKean's friends, and acted zealously in his support. But notwithstanding this desperate coalition, *thirteen*, out of the *eighteen* townships elected delegates *supposed and intended* to be unfavorable to Gen. McKean. However, the ticket was made up at last in full defiance of the well known will of the republican majority. The delegates of two townships were *bought over*, and the real delegates of two other townships were rejected to make room for others who had been elected by minorities, in Springfield, of 14 to 23, and in Athens of 8 to 33. After publication of this fraudulent ticket, the union of McKean's friends and the federalists was drawn closer. * * *

"We can produce the name of one of the most respectable federalists in this county, to whom the President Judge *supplanted* in words almost literally as follows: 'We know McKean is done, he has run his race and he does not expect to appear in public life another year, but if you oppose him this time you help the Welles's. If you set up a ticket against McKean, then the Welles party will set up a ticket, and they will carry every thing. It is not McKean that has abused the federalists, it was the Welles's—IT WAS THEY THAT PUT YOU DOWN. McKean joined with you in getting Charles Welles out of office, and now it is no more than right that you should hold him up this year. If you don't, you know the Welles party will carry everything.' By calling his opponents the Welles party, McKean's emissaries carried their point. Respecting the federalists of Bradford County Henry and Charles F. Welles have the *honor* of their *hatred*; Samuel McKean has the *advantage* of their *alliance.* The federalists had a meeting at Col. Harry Spalding's and agreed to support General McKean's ticket—and *they did support it.* When this Union became public no measures of opposition were adopted. The name of *ticket* has great weight with republicans of Bradford County, and it was clearly useless to contend against the combination of McKean and the federalists. Thomas Simpson says that Henry and Charles F. Welles 'have sought refuge with the federalists.' But it is as public as the election itself, that it is *Samuel McKean* that has *sought refuge among the federalists*, and stands indebted to their friendship for his re-election.—

"HENRY WELLES, C. F. WELLES."

When C. F. Welles left office the *Bradford Gazette* was taken by a company representing the McKean interest in politics, yet Democratic in a general way. It was now called the *Bradford Settler*, and many a war of words was waged between McKean and his former friends, culminating in an action for libel.

A general account of town news in 1818 is given by a most characteristic letter of David Paine to a friend: "I have naught to say in regard to politics—fine sleighing, our road to the lake (Cayuga and Susquehanna turnpike) is occupied, four or five hundred tons of plaster will be deposited here to send below—village affairs going along much as usual"—Then mentions that many of them talk together of emigrating southerly, and of their probable enjoyment of Alabama far surpassing that long anticipated but never realized in this contracted corner of the globe. Henry Welles writes about this time: "I have been considerably startled by hearing that there is a claim rising out of the world of waters against Lockhart's title to Tioga Point; it would not be wonderful if something of the kind should throw the family into revolution and ruin."

Some correspondence between the Welles brothers in 1819 shows that there was considerable disquietude concerning Lewis and Hunter's claim against Lockhart's title. These men brought a suit against Lockhart in his lifetime for some alleged services; they were non-suited, etc., but evidently tried again to press the claim and obtain restitution from the State. It was not recorded in the rolls office, and no record can be found to-day. At the time an attempt was made by the Mathewson faction to prove the Welles title void on account of this. By this suit Lockhart lost lands on the Cowanesque.

While the day of the *Washingtonian* was over, the serpent left its trail. For several years previous the Welles-Matthewson controversy had seemed to be quiescent, but the use of it as a party weapon had been successful. The newspaper attacks and Henry Welles' bold defiance of them had stirred the Matthewson family to further active opposition, in which they were encouraged by the politicians of Bradford County. The children were now of sufficient age to join in the dispute. The Satterlee suit had not been settled, and the mother was in despair, when a strange thing happened. She had a dream in which she saw a young man, unknown to her, who said he had come to help her out of trouble; the very next day, looking out of her window, she saw the same face passing by. It proved to be Horace Williston, Sr., a bright young lawyer, who had come from Binghamton to settle in Athens. He was soon established in the Hollenback house just across the way; and opened his law office November 27, 1819; she made his acquaintance and engaged him as counsel; and *it is said to have been by his advice* that the family claims were pushed in a new method, ending in settlement. Accordingly, at the next session of Legislature, 1819-'20, the petition of Elizabeth Matthewson was presented, praying that a special court be appointed for the trial of a certain act of ejectment therein mentioned. This was referred to the Judicial Committee, who later reported an act to authorize the President Judge of the Fourth Judicial District to try certain causes in Bradford County. This petition was not acted upon, and at the next session, 1821, Simon Kinney, still the bitter political enemy of Henry Welles, having become a member of the Legislature, presented a second petition, same plea, responded to in like manner. Something more effective

was necessary, or in a different form; therefore the son, Constant Mathewson,⁶ who had begun to have political aspirations, decided to take a hand, since the Welles's opponents were now in office. Therefore, he prepared a petition in which, claiming undue influence over his mother in her transactions with Overton, which resulted in her giving a deed to Henry Welles; he represented that he and his coheirs had as



*I remain your Obedient
Constant Mathewson*

much right to a commissioner's certificate as any other Connecticut claimant; for which reason he prayed the Legislature:

"That an act may be passed confirming to us such rights as we should have had, had our mother remained in possession to the time of granting the certificates by the commissioners, and authorizing us to bring a suit or suits for the recovery of the same. And if on trial it shall be found that our mother made a bonafide transfer of her rights, that the execution might be stayed, until that title should cease by the will of our Father, (when all heirs had attained their majority) or for such other relief as to the Legislature may appear proper."

⁶ Constant was the oldest son of Elisha Mathewson. It has been said that he was long before this "of sufficient age and capacity of mind to understand business," being at the time with Clement Paine as clerk, and acquainted with the negotiations of his mother and uncle. But he had been not only quiescent, but on friendly terms with Henry Welles up to 1818, and probably never would have interfered unless influenced by the politicians. The portrait is from a daguerreotype furnished by his son, the late Park Mathewson.

This petition, being presented in December, 1822, was referred to a special committee, before whom appeared not only Constant Mathewson but Charles F. Welles, representing his brother's interest. William Myer, representative from Bradford, wrote to Henry Welles that this committee had agreed to report a bill, and that he ought to send a remonstrance to the Legislature, especially as Mathewson and McKean were making every effort to render Welles odious to the members. An able remonstrance was at once drawn and forwarded, setting forth that litigation would be prolonged until the value of the property was expended, "for surely the Courts can never sanction the injustice and impolicy of sacrificing a regular Pennsylvania owner and possessor to a Connecticut claimant." On the other hand an act passed to be clear of the objections of unconstitutionality must provide complete indemnity to those deprived of their lands, in which case "*the remonstrant begs leave to state that the amounts to be drawn from the State treasury cannot be less than \$10,000, owing to the improvements made by him and other purchasers from Mr. Carroll.*" The Legislature was therefore begged to take no measure without a full hearing. Obadiah Spalding, one of the purchasers, also sent a remonstrance against a law affecting his title. After hearing the committee's discussion of the matter, C. F. Welles became somewhat alarmed, and returned home to explain the whole matter to his brother, advising him in advance by letter as to the various points made against him, the most amusing being that at the time of the hot water barricade "*Henry Welles shed tears because he could not get in the house and turn the widow and the fatherless out.*" Henry was advised to provide himself with all the title paper of Tioga Point, and to show himself the actual purchaser, and not an agent of Charles Carroll. But there was no need for agitation yet; for towards the close of the session the committee asked to be discharged from further consideration of the subject, because of "*the conflicting allegations and statements of the adverse parties, the complications and difficulties of the subject, and the want of some further documents*"; thus rendering decision impossible. Accordingly the matter was laid over until the next session, when it was again presented, and again referred to a committee. That Henry Welles was not seriously alarmed may be proven by the fact that in 1823 he built a substantial new home on or near the contested lands, date shown in a deposition of Thos. Huston, taken January 20, 1824. In this Dr. Huston stated that he had overheard a conversation between Henry Welles and Constant Mathewson on the subject of their claim, in which the latter told the former:

"He would engage, should he recover the land to remove all the buildings on the premises at his expense *except the Stone House⁷ built by W. during the last*

⁷ The "Stone House," as it was always known, was the home of the family of Henry Welles for more than fifty years. It well deserves a chapter of its own, for although its builder enjoyed it for only one decade, no house in the Valley was more famed for its extensive and bountiful hospitality, ably dispensed by its mistress, familiarly known as "Aunt Sally." The men of high degree who knew Henry Welles continued to pay homage to his wife even to her latest days; and it was a favorite resort of the young and old of Athens. The youngest daughter of General Welles was born there, Frances M., who married Charles B. Stuart; and her wedding was an event long remembered by her school girl associates. The older daughter, Susan, was also married there to Edward H. Perkins, and one of the most delightful events of later years was the wedding of Susan's oldest daughter, Sarah. The



THE OLD STONE HOUSE

summer, for W. had notice before he commenced building, but he did not expect that house was on the land."

This deposition was one of many documents laid before the new committee. Mathewson had also agreed to allow Spalding to remain in possession in full confidence of the result. The committee, after deliberation over the evidence, reported a bill in the form of a supplement to the Bedford and Ulster Act. After being considered in committee of the whole, this was recommitted to the special committee, for, as Mr. Craft says, "*the thing asked for was so palpably illegal, the legislature refused to grant it.*" Not exactly so, perhaps, but it was very easy to lay the bill on the table and discharge the committee, which was again done. Perhaps this second delay was due to the fact that Henry Welles appealed to Thomas Burnside, who had been President Judge of Bradford County one year, and therefore by his residence and administration was acquainted with the general relations of Pennsylvania and Connecticut titles. In his letter to Judge Burnside, Mr. Welles remarked, "*Constant Mathewson's story is good until the opposite has been told*"; asked the Judge to look over the papers sent, and make such remarks as the depositions justify. Judge Burnside was reminded that he had tried a case in which the Welles and Caton title was examined, and the writer closed by saying:

"Do I pray, do better for me than I know how to ask, and if after an examination of the papers and the subject a bill should be reported contrary to common sense and plain justice, as a last boon send me a copy. With an affectionate remembrance of our former friendship, I am yours as ever, H. W."

old house knew many other joys—and sorrows, now all buried in the dust. It was the home of four generations of Henrys, of whom only Henry 4th survives. It should be noted that all of Henry Welles' sons bore his name: George Henry, James Henry and Henry S. In 1875 the family scattered, and the old home was sold to Thomas Buchanan, to whose daughter we are indebted for the excellent picture. The Old Stone House burned to the ground about twenty years ago.

At this time John F. Satterlee, who had been an opponent of the Welleses in the *Washingtonian* campaign, concluded that it would be wise to join forces; therefore he wrote an unsigned letter (still in existence and labelled), urging Henry Welles to engage his father's assistance, and saying:

"I am well aware that I am trespassing on your generosity and goodness, but, as we have to fight M——, let us act in concert like two brothers, faithful to each other, and silent to the world."

He urges that Mr. Caton should visit the Point, as Caton's agent was said to be one of Mathewson's advisers. Having been laid aside as unfinished business, the bill was again presented to the Legislature January 12, 1825, and again referred to a committee. Constant Mathewson was now present as a representative, the wily Federalist politicians of Bradford having here found an easy weapon against the opposing party, who had nominated Henry Welles as their candidate.

Richard Caton had not come north, but he had sent in a strong remonstrance against any act affecting his title. Henry Welles' documents were also in evidence; and when the bill was again presented by the chairman of the committee, it was only discussed and postponed; a committee was appointed to bring it in for a second reading, when it was again postponed. A long preamble and substitute was brought in February 28th, said to be "doctored according to the remonstrances;" it really was in substance the second remonstrance of Welles. It was discussed, as well as the bill, for hours at several sessions of the whole, on one occasion a special evening session being held for the purpose; at this an amendment was twice proposed to have a trial by jury in Luzerne County, with certificate granted to Mathewson by Supreme Court if fraud was proven. This offer to meet the accusations of fraud on a fair trial was voted against by all the advocates of Mathewson, thus refusing the very remedy which Mathewson had seemed to seek. At this time the Speaker of the House was Sutherland, who espoused Mathewson's cause.

The following day nearly the whole session was given up to a discussion of the bill, clause by clause; votes were taken again and again to no purpose. Mathewson's demands were now based on the claim that the lots were located in old Ulster, which was justly called "a pretence." This discussion of the bill, amendment of sections, etc., began February 28th, and was continued at intervals until April 2nd, ten days being given to its consideration during that time; postponement again being decidedly negatived. While the general tenor of the discussion is given in the H. R. journals of this period, there is little record of the heated argument which must have taken place. It is evident that the legislators were awake to many faults of previous acts, and were determined if possible to make this final, since they could no longer lay it over to the next session; a convenient form of evasion. Henry Welles and Constant Mathewson were both present at these sessions, and must have, indeed, been torn with contending emotions. At last, April 2, 1825, the bill had its third reading, and was passed by a majority of six; ayes, 42; nays, 36, and the clerk was ordered to

present it to the Senate. The bill was entitled, "A supplement to the Act entitled 'An act for the purpose of adjusting the titles to lands in Bedford and Ulster townships,'" etc., and was No. 471. Being reported to the Senate it came under consideration near the end of session and a motion was carried once more "*to postpone for the present and recommend to the early attention of next Legislature.*" This seemed discouraging, but Constant Mathewson was now certain that the bill would be acted upon by the Senate at an early date. No. 471 is herewith printed:

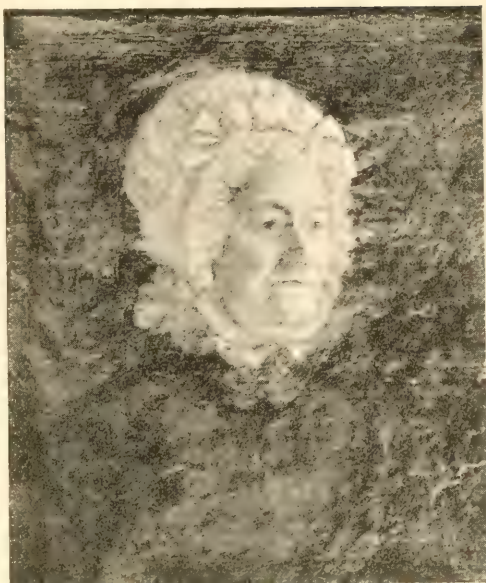
"That the Secretary of the Land office, Surveyor General & State Treasurer be, & they are hereby appointed Commissioners under the act to which this is a supplement with full power & authority to carry into full effect the provisions of said Act so far as relates to the titles or claim of Elizabeth Mathewson widow & devisee & also the heirs of the late Elisha Mathewson deceased, Connecticut Claimant within the township of Ulster in the County of Bradford formerly Lycoming & in relation to which the former Commissioners appointed under said Act were prevented from certifying by reason of the provisions of the Seventh section, of the Act which prevented a Connecticut Claimant from recovering a Certificate when the Pennsylvania claimant was in actual possession or occupancy of the Land either by himself or tenant at the time of the passing of the act to which this is a supplement. Provided always that nothing in this Act contained shall be construed or taken to give the said Elizabeth Mathewson and the heirs or devisees of the said Elisha Mathewson any other right or title than they or either of them had at or before the time that the Pennsylvania claimant obtained possession.

"Sec. 11. And be it further enacted by the authority aforesaid that the seventh section of the act to which this is applied be and the same is hereby repealed so far as relates to the claims of the heirs & devisees of Elisha Mathewson passed April 2, 1825."

[The cause of Henry Welles was now in a critical case, and it behooved him to make strenuous preparations for its defense at the ensuing session of the Legislature, before an apparently hostile Senate. But his energies were so weakened by long and incessant attack and defense that he felt his resources to be nearly exhausted, and was in danger of relapsing into a condition of hopeless apathy. He now found, however, a potent ally in the person of his aged mother, upon whom, through all the years of his life, he had lavished a wealth of filial affection. His home had been hers through her years of widowhood; and she had seen at close range the whole course of his labors, successes and defeats. She makes in this connection but one short appearance; but her ministration therein was so characteristic, and withal so very efficient, that we may be pardoned for going out of our usual course to repeat the anecdote, as related by her son Charles. He had been visiting Athens (which he never ceased to call Tioga Point) on business; and having accomplished all, and being about to remount his horse at the door of the "old Stone House" for his home journey, his movements were suddenly arrested by the appearance of his mother, Prudence,⁸ in the door, ready to issue her maternal commands in the

⁸ [Prudence Talcott Welles was born at Glastonbury, Conn., in 1757, the daughter of Elizur Talcott, colonel of the 6th Connecticut line in the Revolutionary War; and through him descended in the fourth degree from "Worshipful Mr. John Talcott" (d. 1660), one of the patentees in the royal charter of Connecticut; and in the sixth degree from John Talcott of Colchester, Eng. (d. 1606), whose wife was a Wells. In the 5th degree she was also descended from William Pyncheon (d. 1662), the founder of Springfield, Mass., and one of the six patentees of the charter of Massachusetts Bay; in the 8th, from William Pinchon of

premises: "Charles you must do something to help your brother Henry." "Why, I cannot, mother; what can I do?" Down came the "Talcott foot" with quick and decisive energy upon the threshold, followed by the word of command, "*You must!*" He had heard that ultimatum before, and knew what it meant; and it did not take him long to promise obedience, and decide upon his course. Having put his affairs in shape at his home in Wyalusing, he returned to Athens and began investigations. Then he devoted many weeks, with the aid of persons, papers, documents and law books, to the preparation of a labored and exhaustive defense of his brother's conduct and title.] The documents and letters, with many of his minute notes and memoranda, are still in existence. These show in connection with his brother's letters, and many of his own (all preserved by the forethought of Edward Herrick, Jr.), that he soon became actively interested and was getting his "eagle's quill" in good trim. Not content with preparing the defense, the Welles brothers threw themselves into the political campaign of that year with ardor. Lemuel Streater had been Mathewson's adherent, and was to be returned to the Legislature. The *Settler* of this



PRUDENCE WELLES

Co. Essex, England (d. 1552), through his son John, whose wife was Jane, daughter of Sir Richard Empson, one of the ministers of King Henry VII, who lost his life upon the block Aug. 7, 1510. Empson and his colleague Edmund Dudley had incurred great popular odium as the instruments of the gross extortions of their royal master; and upon the ascension of his young son, Henry VIII, they were arrested and tried upon a trumped-up charge of treason, and finally executed, to appease the popular clamor, by the young king, who was then in the full enjoyment of the fat treasury which had been filled by those exactions. Sir Richard set up an able defence, arguing that in obeying the behests of his master he had acted merely in the execution of the laws. Hume, in his *History of England*, Vol. III, says: "The strict execution of laws, however obsolete, could never be imputed to them as a crime in a court of judicature. In order, therefore, to gratify the people with the punishment of these obsequious ministers, crimes very improbable, or indeed absolutely impossible, were charged upon them. * * * Thus, in those arbitrary times, was justice equally violated, whether the king sought power and riches, or courted popularity." * * * The story of William Pynchon of Springfield, and his daughter Mary, and of her husband, Elizur Holyoke, is romantically set forth in "The Bay Path," by J. G. Holland. Prudence Talcott, gt. gt. granddaughter of William Pynchon, was married to George Welles at Glastonbury, Conn., in 1780, and died at Owego, Nov. 10, 1839. Known and remembered for many years as a lady of rare charm and lovely Christian character, as well as of much personal beauty, it may not be thought unfitting to apply to the worthy descendant in the fifth generation, the sentiment graven now for two-and-a-half centuries upon the tombstone of the ancestress, Mary Pynchon Holyoke, in the old Puritan churchyard of the New England town founded by her father:

SHEE YT LIES HERE WAS WHILE SHE STOOD
A VERY GLORY OF WOMANHOODE;
EVEN HERE WAS SOWNE MOST PRETIUS DVST
WHICH SURELY SHALL RISE WITH THE JVST.]

period teemed with articles from all parties, McKean and the Sheshequinites again taking up the cudgels. C. F. Welles was accused of putting Joseph C. Powell up as a nominee, "by whom he could and would break down the party." The editor of the *Settler* asserted that "at the next session either Welles or Mathewson must be deprived of his claims to the amount perhaps of thousands of dollars;" and appeals to the people to know if they will abandon their principles and the best interests of the county, "because Mr. Welles wishes to get one of his submissive creatures in the legislature for the sole purpose of subserving his private interest, and to deprive the Mathewson family of what may be their equitable rights." While we do not understand all the allusions, Judge Hollenback seems to have taken a hand in preparing what was called the Hollenback ticket; with Horace Williston, Sr. (who was named in this campaign "Old Sorrel"), nominated for the Senate. It was said that "Old Sorrel" would be able to carry Joseph C. Powell in slick, and it was related of him that he was so extreme in his views that he intended to teach his children to hate and despise the name of Jefferson. Mr. Williston was urged to avow his real principles in the *Settler*, but unfortunately our file is incomplete here. However, Williston and Powell were not elected, McKean once more triumphed as a political leader.

General Welles then published a notice in the *Bradford Settler* of October 27, 1825, stating that a full account was being prepared to convince both friends and enemies that he had been actuated by the purest motives, and would support his claims and vindicate his conduct on principles of justice. This inflamed the Mathewsons, and the *Settler* of December 1st contained a most vituperative answer, signed Constant Mathewson, which, after mentioning the attack upon his defenceless mother and her children, closes thus:

"I will conclude this crude introduction to a correspondence with you General Welles by asking whether you believe the public mind so full of vice in the Commonwealth as to justify a *hale, hearty, sprightly* man in the prime of life, blessed with the first means of education, and whose transcendent talents might *vie with a Burr* in retrieving a lost fortune by grasping the homestead of a soldier of the Revolution at a moment (in a comparative view) when he *drew his last breath, and sighed an everlasting adieu to his wife and children?* If this is patriotism you stand exalted on a popular eminence above the reach of competition. But believing as I do that if I possessed your talent and education and your opportunity in life, and had treated a concern with any neighbor's family as you have treated my deceased Father's family, I should sink too deep in self-condemnation to hope or expect manly contempt to follow me. With these remarks I submit the subject to the public."

Of course, in the light of chapters already read, this is not so fair at it may seem; but as there are no Mathewson papers in existence, it is printed as exhibiting their views. C. F. Welles thought this was McKean's writing, saying that he recognized "his weak, spiteful style in every line," and writing to his brother, "Never mind the newspaper stuff, nor anything else but to prepare and be prepared, and hold a fearless and superior hand when at Harrisburg." He was now rapidly collecting and arranging material for the defense; and reports that he finds the way clear and strong as he proceeds, but admits that "it is a vast deal of labor to carry a clear line through all without omitting any:"

a sentiment with which we thoroughly sympathize. However, he rejoices in the fancy that with proper evidence he "will gently spread out J— K— on the gridiron," intimating that as a witness he had sworn falsely; also proposing to turn certain evidence into "a battery against their opponents." He fancies his brother's letters to him are intercepted, as in the early days of the Connecticut controversy. He writes:

"I have made a good beginning to the Remonstrance, * * * I believe I shall succeed and that powerfully and clearly."

Later a letter gives a detailed and most amusing account of the application to the gridiron as proposed. Having made ready his defense he repaired to Harrisburg with the opening of the session of 1825-'26 to espouse his brother's cause. Establishing himself in a house with many legislators, he quietly made friends with as many as possible, with a view to securing their interest. Although not introduced, he soon found every member in the house knew him, and noted "a delicacy in this silent attention superior to words." He wrote:

"I think we have a fair committee * * * my hope and aim is to get a favorable report; * * * there can be no hope of getting at bill to be acted on this session * * * If I get a favorable report, it will end so undoubtedly."

Since it was too late in the session to expect final action, he considered the advisability of having his "defense" printed for another session, *or country use*, as he could not properly lay it before the house, when the subject had not come up. The work of the committee was delayed by illness of one member, although C. F. Welles was on the alert to attend if Mathewson called a preliminary meeting, hoping to acquire a few more points, or as he expressed it, "*to draw out all the grounds and pump him a little.*" Having studied law in earlier years, he was awake to the possibilities of cross-questioning. He also wrote:

"So far as I can judge, the proceedings of last winter were looked on as *party*, and your real credit unimpaired by it * * * Sutherland's day is over, and you have no able enemy here at this session."

When the committee had its first meeting, as all were not present, no action was taken. The report of the former committee was read and Mr. Welles found it "*difficult to get a foothold for the idea that the report was contestable.*" However, he broke the way as far as desirable. For it was his opinion that if he could obtain presentation to the House of a favorable report, it would be debated, in which case there might be a large majority in its favor; but if an unfavorable report, there would be a nearly even balance of votes. One of the committee being ill the other six met again, and finding a tie vote asked to be discharged. This was refused, and they were told to await recovery of Stephens, or ask for appointment of a substitute. Of this meeting C. F. Welles reported:

"Mathewson *can* lie a little. If I had not known of the case myself I certainly should have believed him, he asserts so positively with such inflections and feeling and good management—he really might have made a Pettifogger if he had not been, as he says, 'deprived of an education by the fraudulent deprivation of his property.'"

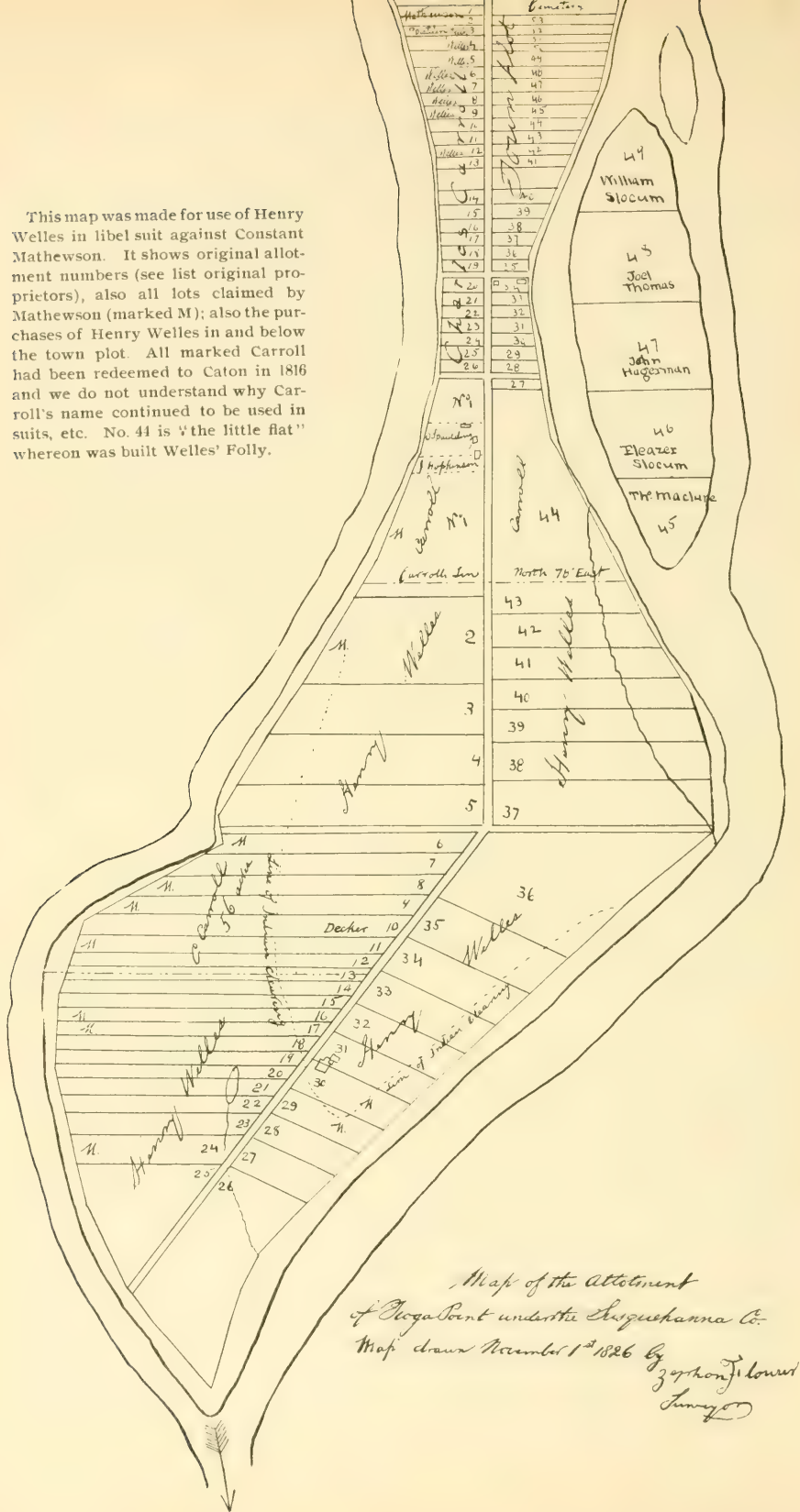
The political aspect of the question now came strongly to the front. While Mr. Welles believed the bill of the year before would be reported, rather than a substitute, as he had hoped; he now (according to his letters) found himself approached by the most prominent men of the Democratic party, who invited him to explain the controversy in detail, even when he tried to avoid discussion of it; and having heard, offered their support with gratifying spontaneity. He therefore resolved to procure the presence of as many intelligent members as possible when he was given a hearing before the committee, and wrote that he would be able to obtain the assistance of the most powerful men in the House, and was next to certain of the whole thought of Mr. Blythe, "the ablest man of the Democratic party, and clearest speaker in the House." The subject being designedly broached in a public place, Mr. Welles was asked what the question was, to which he cautiously replied, "*To put it in a nutshell, it is the application of a Connecticut claimant to have under the compromise system a certificate for lands in possession of a Pennsylvania owner.*" Encouraged by the advances of these men he now became even more alert, and threw out many well-timed touches, conclusive arguments, delicate hints, etc., even to the members of the committee, until he had attracted to him a strong coterie; a move which would not have been possible to General Welles as defendant. He, poor man, was now chafing at home, reading between the lines of his brother's brave letters, still discouraged and uneasy at the various delays. But Charles rejoiced in the delay and replied:

"I expect a full and fair hearing, am far better prepared than when I came all new written, greatly strengthened and improved, all declamatory passages stricken out. There will be a good many members present to hear the defense, who will learn the whole grounds and take interest. * * * I have become far better acquainted with all grounds than when at home, have struck off all repetitions, abated all swells of language, holding a clear and collected line of argument * * * the defect is that everything is proved in *every* possible manner when *one* would be sufficient. But the extraordinary way the case has been treated makes it proper to show that there was no room for two opinions. * * * I never before lived in the habit of weighing every word and action with the intention of pleasing all."

Nearly three months were spent in Harrisburg, awaiting a hearing before the committee, which was finally given the second week in March. This entire time was spent in quiet effort; although General Welles urged in vain that his brother be more aggressive, Charles contended that his course was preferable to "forwardness and impudence," and even Constant Mathewson, who also was busy making friends, became quiescent and possibly troubled. It is a source of regret that there are no Mathewson letters and papers to be found, the only examples being the newspaper articles signed "Constant Mathewson." The Welles' letters abruptly cease here, but it is well known that *the defense prepared by C. F. Welles*⁹ *convinced the committee that the bill in ques-*

⁹ A short time before his death, Charles F. Welles, wishing to print this defense for the use of his children, wrote an explanatory note, which indicates that, in spite of all his careful preparations, the paper was not read until the next session, and then by Henry Welles. It is a great gratification to the writer to consummate his expressed intention and give his work

This map was made for use of Henry Welles in libel suit against Constant Mathewson. It shows original allotment numbers (see list original proprietors), also all lots claimed by Mathewson (marked M); also the purchases of Henry Welles in and below the town plot. All marked Carroll had been redeemed to Caton in 1816 and we do not understand why Carroll's name continued to be used in suits, etc. No. 44 is "the little flat" whereon was built Welles' Folly.



tion, if it were to be made a law, could never pass the ordeal of the courts. The matter was laid over again until some alternative could be devised. As what he thought a last resort, Henry Welles instituted a libel suit against Constant Mathewson. Here again the records are all too meagre, our only evidence being the various depositions among Henry Welles' papers on "No. 98 In the Common Pleas of Dauphin County;" the annexed notice served on Constant Mathewson, and the letter which shows how the case was to be tried.¹⁰

The cause of action was the assertion of Constant Mathewson that Henry Welles had received his deed to the lots by coercion; that his mother was deceived into non-appearance at suit of ejection; and some similar statements. The depositions are of great interest, and show that General Welles was always mild and kind in his treatment of a difficult opponent, and that he was properly put in possession. The most noticeable witness was Thomas Overton, saying that he had never heard Constant Mathewson or his mother complain of fraud, *until it was made a party issue* and carried into the Legislature. Alfred Granger's deposition was the most startling, which, however, we are pledged to omit. Zephon Flower's was as follows, and after being

to his descendants. (See Appendix A.) It has never before been printed, but has been read by several lawyers and historians; and has been said to be "the broadest, clearest, most comprehensive and conclusive of all the papers of the period,—one word characterizes it, *masterly.*"

¹⁰ In the Common Pleas of Dauphin County Pennsylvania, of April Term 1826, No. 98: Henry Welles vs. Constant Mathewson:

To the above named Defendant:

Take notice that a Rule for Arbitration of the above cause to be tried during the period of the ensuing session of the Legislature will be taken out by the Plaintiff and that upon said Arbitration it will be incumbent on you to prove the several matters which you have heretofore alleged against the Plaintiff to his damage before various Members of Assembly and others at Harrisburg; consequently that immediate steps for the preparation of your testimony are necessary.

Athens, 4th November 1826.

HENRY WELLES, Plaintiff.

(S. Douglas to C. F. Welles, Nov. 3d 1826)

(Harrisburg) "You intimate an expectation of the Declaration against Mathewson to have been filed before this; but the understanding of both Mr. Elder and myself is different from yours on this point: our decided impression is that no Declaration was to be drawn and filed until we should have all the Depositions taken and filed; thus to ascertain how it should be framed so as to be supported by proof. And at all events we expected the depositions under your rule would have been taken long before this time and forwarded to us. You may remember that we told you to send the depositions as soon as taken, that we might file them of record." * * *

"If you can procure me another Bradford Gazette of the 28th September last, and forward it by mail you will oblige me. I am well aware of the importance of the suit, and the manœuvring of the defendants, to pervert its merits, its meaning and its truth; and that they will be persevered in this winter. So far as in our power to counteract so shameful a course, and present it in a true and honorable manner, you may rely that we will do it; and we shall, I hope satisfy you by our assiduity and attention to it."

The court records show only the following extract from Appearance Docket for 1826, Court of Common Pleas, Dauphin County:

Henry Welles	}	Douglas.
vs.		Elder.
Constant Mathewson	}	Fisher.
		Ayres.

Summons case sur Slander.

May 5, 1826, Rule on the part of the Plaintiff to take depositions *ex parte*, on ten days' notice. (Exit.)

October 24, 1826, Rule on the part of the Defendant to take depositions, on ten days' notice. (Exit.)

January 13, 1827, Depositions filed.

cross-questioned by Constant Mathewson, he made the map which shows all the lots claimed by them as marked with M.

"Personally appeared before the Subscriber one of the Justices of the Peace in and for Bradford County, ZEPHON FLOWER, who being duly sworn doth depose and say that he came into what is now designated as Bradford County sometime in the year One thousand and seven hundred and eighty-eight, or thereabouts, and has resided at or near Tioga Point ever since. That he has followed the occupation of surveying for about thirty years and is well acquainted with the lands in Bradford County both as it respects the Connecticut and Pennsylvania surveys having had a great deal of practical experience in making Surveys for both Connecticut and Pennsylvania Claimants. That this deponent has recently by actual survey on the ground made a plot or Diagram of the Land on Tioga Point, which is hereunto annexed and signed by this Deponent marked with the letter Z. And this Deponent further saith that the part coloured 'Green' in the said Diagram is as this Deponent believes a correct delineation of the Indian Clearing prior to any settlement being made on the said lands by any White Inhabitants. And this Deponent further saith that the Dwelling House of the Plaintiff, Henry Welles, is situated on Lots No. 30 and 31 as laid down in the said Diagram and the dwelling house and premises of Obadiah Spalding are on Lot No. 1 on the said Diagram. ZEPHON FLOWER."

The political campaign of 1826 was doubtless one of the most spirited ever known on local lines, in Athens Township and Bradford County, as shown by the few copies of the *Bradford Settler* available. Constant Mathewson was nominated for the Legislature *on the Democratic ticket*, for those who managed the Democratic nominations were the old political enemies of Henry Welles, and the controversy continued to affect politics. The opponents again waged a newspaper war, all in the columns of the *Settler*, in which the report of the last committee was published September 21st. Henry Welles, though out of politics, now found his "*private rights intruded on by party men*," and every means seems to have been adopted to prejudice the Legislature against his private cause and character. Therefore, C. F. Welles concluded to print the substance of his prepared defense in response to the report, and prefaced it in pretty severe language, making this protest: "Is not the cause of Constant Mathewson JUST ENOUGH to stand on its *own merits* without being marked down as the cause of the Democratic party?" and asked if it would not be *decent* to postpone the election of Mathewson until the truth were known, etc., etc.; the whole filling more than two pages of the *Settler*. Giving so much space was no doubt but a plot on the part of the Democrats; for the editor filled a column with indignant protest, claiming that he was asked to publish *the defense* in ignorance of "the flourish on the subject of the election," which prefaced it and which he found "totally irrelevant" to the dispute. After disputing much of the testimony he says:

"Mr. Welles' defence would lead one to suppose that a *Connecticut Settler* was an *Outlaw!* and only fit for the prisons of the country. *Connecticut Settlers!* you who were the first planters of the country, what say you to this? Will you oppose the election of Constant Mathewson on such ground? What is it that Mathewson wants of the Legislature? * * * Mathewson only wants the privilege to Try Titles with Gen. Welles in a Court of Justice."

Some correspondent, doubtless Kinney or McKean, sent a further scathing communication, saying that Henry Welles acted dishonestly

in the Legislature in framing the now famous seventh section of the Bedford and Ulster Act, and robbed the Matthewson family of 100 acres; also giving a fiery account of the marshal's visit to dispossess Mrs. Matthewson; "Harry's tears," etc., and concludes in amusing vein:

"But Charley may write until he is as gray as a rat and he will have no more effect than the 'Dry grass whistling through the wind.'"

Some weeks later Constant Mathewson replied at length, as he "could not suffer this wonderful production to pass unnoticed." As we have little from the hand of Mr. Mathewson, this article is printed as an appendix, that all the world may read, with reference to the foregoing text which disproves most of his accusations. But the election recorded the sentiment of the people in a curious fashion. This election return happens to be the only one known to be preserved, and was found in a collection of McDuffee papers,¹¹ loaned to Tioga Point Museum. The Federal candidate for representative, Thomas Elliott, was elected by a majority of 90 to 35. But Constant Mathewson had *thirteen friends who sought to do him honor, and cast their votes for him as Governor*, although he was not, of course, a candidate. The old superstition came true, *thirteen* proved to be an unlucky number, and he was out all around. Both he and Henry Welles once more armed themselves for renewal of the fray.

The letters of C. F. Welles at this period show that he was still actively engaged in helping his brother, whom he advised not to go to Harrisburg unless called there by the courts, as he fancied it possible that Mathewson might not move his project at all. In suggested evidence he made a strong point of the fact, corroborated by Thos. Cooper's evidence, that Elisha Matthewson not only was not one of the proprietors in *old Ulster*, but was of the so-called *hostile party*, proprietors of Athens, who crowded Ulster out. Having at this time studied the H. R. journals from 1800 to 1810, and discovered their contradictory acts, C. F. Welles exclaims: "*Shame on the Legislature of Pennsylvania! Under their laws libels are punished, but the blackest libel is by themselves.*" According to his brother's note, Henry Welles was at Harrisburg in December, 1826, and read the defense before the committee.

January 1, 1827, Constant Mathewson appeared before the House, withdrew his former petitions which had resulted in Act 471, and presented a new one praying for the relief of the heirs of Elisha Matthewson. The petition was, as before, referred to a committee of seven members. Three weeks later, apparently summoned, Henry Welles appeared on the scene, and reported that he hoped for a full and impartial hearing, as the chairman of the committee was Townsend Haines, a lawyer, used to deep research, who expressed himself as determined to examine the matter thoroughly. There seemed to General Welles to be "more caution and coolness as to the affair than formerly," although Mathewson was reported as constantly busy with the mem-

¹¹ Samuel McDuffee was one of the judges of this election and doubtless preserved the paper.

bers. Mr. Welles distributed freely the paper containing his brother's defense (already mentioned), and fancied it produced at least neutrality. He says, "I am doing what I can among the members, but it is quite awkward and tardy." Learning Mr. Haines' friendly attitude, Charles Welles wrote him a letter, giving some additional facts in which he not only shows by records that the Mathewson claim is in opposition to the former acts of Legislature, but that the whole present action, instead of being an affair of the Mathewson family, "*is to gratify an ancient grudge of a party man*" (unquestionably S. McKean), and he wrote, "I still fear that no full exculpatory report can ever be obtained while Party exists." While this seems largely true, yet unquestionably Constant Mathewson had in the person of *his* mother a far more active ally than Henry Welles had found in *his*. It is not strange that having struggled so long by herself, when a grown son came to the front, Mrs. Mathewson hoped more than ever for success, whether the cause was legal or not.

Upon Henry Welles' arrival the former remonstrances of both Caton and himself were withdrawn; although Caton sent in a new one, Welles relied on his brother's defense. Finding the matter required the most serious attention, the committee obtained leave to sit continuously, even during the House sessions. A whole month was given to discussion, during which time both Mathewson and Welles seem to have been continuously before the committee, and so far as reports have been preserved, Welles had the best of it. The defense, which had not only been read, but widely circulated among the members, had had its effect. As the time approached when the committee were to report, Mathewson "was in a fever about his case," and his counsel and he asked for adjournment before presenting their final evidence. This plea for adjournment was repeated six times in succession, until the committee announced that they felt themselves trifled with, and deferred to Welles, who feeling free from the alarm shown by his opponent, assented to further delay, and wrote to his brother that there was no knowing what phantom Fisher (M.'s counsel) might conjure up, though Welles felt quite sure "F. would blunder, M. put in his oar, and they would confound each other." But there is no known record of that next meeting, and the H. R. journals show that it was some weeks before the committee made their report, and then the same old bill, No. 471, was offered; Mathewson was up again. This was discussed, and after some opposition a motion was carried to lay on the table.¹² A later motion was carried asking that the committee

¹² Extracts from Journal of the House:

* * * It is however due to Mr. Carroll here to state, that it does not appear, neither is it alleged, that he either directly or indirectly participated in the transaction. Certain it is, that no such provision is found in any of the previous acts upon the subject, and it had a tendency to work the greatest injustice; because if a Connecticut claimant was dispossessed of his land, either by force, artifice, fraud or otherwise, by a Pennsylvania claimant, the Connecticut claimant was absolutely excluded by this section from deriving any benefit from the law, though in equity and good conscience he was, with others, entitled to its provisions. It is not presumed that the Legislature of 1810 were fully acquainted with the unjust consequences that would flow from that provision. They could not have been advised that they were excluding from the benefits of the law the solitary family of minor children of a man who had long and faithfully served his country, and in effect take from them the hard earnings of their deceased father. * * *

* * * It appears very clear, and in fact it was admitted by Mr. Welles, that if Mrs. Mathewson had been in possession of the land at the time the law was passed, her title was

report a detailed statement of facts as given in the evidence before the committee. Four weeks later a report was brought in, read, discussed at length, and again laid on the table. Doubtless in each of these discussions the battle of Connecticut vs. Pennsylvania was fought again.

The much defamed seventh section of the Bedford and Ulster Act held—the Legislature declined to repeal that;—and after long discussion the title of the bill was altered to “An Act for the relief of the heirs of Elisha Mathewson.” Not only so, but during the three readings and the passage through the Senate, various amendments were made, *eliminating every allusion to the Act of 1810*, and thus maintaining the dignity of the Legislature, which, in the language of Judge Patterson, “for eight years had been urged to oust Henry Welles.” The detailed statement called for was read before the House by Mr. Haines, by whom it was carefully prepared, and doubtless influenced the final decision. His summing up was as follows:

“From an impartial view of the whole case, the undersigned cannot see any reason to believe that Henry Welles, in any particular, acted unfairly to the widow or heirs of Elisha Mathewson; that he has rendered himself liable to the charge of artifice, fraud or injustice, or that he had by any act of his changed the character of his title, or the situation of the hitherto controverted points between the two parties. If, therefore, the petitioner has any claim in equity or justice, it is not to the land of Henry Welles, legally held and fairly possessed by him; but it is to the moral obligations of government as previously extended to that misguided people, whose credulity was imposed upon by the artifices of the Susquehanna company. Elisha Mathewson, the father of the present petitioner, was a soldier of the Revolution. From the year 1776 until 1783, a period of six years, he faithfully served the United States; when, being honorably discharged, he returned to his paternal home, and within a few years removed and settled on the land in dispute with a title derived from the Susquehanna company. The remainder of his life was spent in the possession of the property, and he left it as an inheritance to his children, whose petition has been preferred to the house praying for relief.

“It is believed that all the Connecticut claimants in actual possession, within the whole seventeen townships of Luzerne, have been confirmed in their possession by different acts of Assembly, and that the heirs of Elisha Mathewson are the only individuals to whom the government has not extended, in some way or other, the benefits of its laws. It cannot be pretended that the interposition of the Legislature was founded on any state necessity, or upon any legal claim by those who received the benefits of the several laws in those townships. In the words of Judge Brackenridge, ‘it was a moral obligation on the government to relieve the mistaken and misled inhabitants, who had settled on these lands under an idea of right, and where the situation of things and the nature of the case furnished a ground of mistake, so that they were not to be considered absolutely in the light of voluntary trespassers.’ Under this view of the case, while it would be a violation of vested rights, without an adequate necessity, to interfere with the possession of Henry Welles, it may not be an improper consideration for the Legislature, whether the same moral obligation would not interpose in behalf of the only Connecticut claimant who has not received the benefits of its laws, and grant some compensation to the heirs of Elisha Mathewson whose petition is before us.—TOWNSEND HAINES.”

sufficient to entitle her, as well as every other Connecticut claimant in those townships, to the land. Now your committee cannot see that the mere circumstance of her being out of possession, forced out too in the manner she was, destroys her equity, nor ought it to destroy her legal right to the lands, under all the circumstances. Equal justice to all your citizens appears to require the repeal of the 7th section of the act before spoken of, as it would leave to Mr. Welles and those Pennsylvania owners connected with him, the same remedy and redress that all your other Pennsylvania owners had, and give to the heirs of Elisha Mathewson the same rights and privileges that all other Connecticut claimants have received. It was these impressions that induced your committee to report a bill repealing the 7th section of the act of 10th March 1810.

Public opinion was expressed in at least one newspaper of the day, which has been preserved, the *Village Record* of West Chester, Pa. (Editors, Charles and Asher Miner).¹³

The bill received the approval of the Governor and became a law, *inculpating neither plaintiff nor defendant*. Henry Welles' title to the land held, the Mathewson's claim was recognized [and so at last was happily closed, amid a profusion of compliments and apparent good will, what had been a protracted and bitter controversy, waged in every form—in public, in private, in forum, in politics, at the bar, and in parliament—for so many years that locks grew gray in the doing of it; and so ended the LAST CAMPAIGN OF THE YANKEE-PENNAMITE WAR!]

The famous bill is here given:

"An Act for the relief of the heirs of Elisha Mathewson.

"Sect. 1. *Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in General Assembly met, and it is hereby enacted by the authority of the same*, That the governor is hereby authorized and required to appoint three commissioners to appraise all the lands which were delivered to Henry Welles as agent for Charles Carroll, by virtue of process issued in the case of Carroll's lessee vs. Elizabeth Mathewson returnable to October session 1808, lying in the township of Athens on Tioga Point, which Elisha Mathewson, late of said township, died possessed of, and to which he claimed title in virtue of Connecticut rights, deducting from such valuation the sum of \$5, per acre, which appraisement shall be made according to the value of the property on the 16 day of June 1810; and the commissioners thus appointed or a majority of them shall make out a certificate of the balance of such valuations together with the interest on the same, to the time of such appraisement, and forward the same to the state treasurer, which certificate shall be sufficient authority for the state treasurer to pay such sum and interest to the heirs and legal representatives of the said Elisha Mathewson; and in case of the death or refusal of any of the said commissioners to serve, the governor shall appoint a suitable person or persons to fill such vacancy; and the commissioners shall be allowed the sum of \$2, per day for each day necessarily engaged in the discharge of their duties, in full for pay and personal expenses.

"Provided that the said Commissioners before they enter on their duties, they shall take and subscribe an oath or affirmation before some judge or justice of the peace, that they will justly and equitably discharge the duties assigned them in virtue of this act.

"April 14, 1827."

"J. ANDREW SHULZE."

The appointed commissioners faithfully did their work, and coincided with Henry Welles' own estimate. The valuation of the land, with interest from 1808, was estimated to be \$10,000, and that immense sum, less \$5 per acre as directed, was promptly paid to the Mathewson heirs. Prosperity at last beamed upon them. They built on lot No. 40, their original location, a fine public house, long called "the Mansion House," which stood close to the street on the property now occupied by M. D. Stiles. The house was famous to a comparatively recent date for the many public and social gatherings held in the great hall in an upper story. Constant Mathewson seems to have wasted most of his portion in visionary experiments, extensive mining operations on the nearby hills being one. He at last built a house east of the river, near present Wheaton property. In his old age he manufactured what he thought

¹³ The Record's Editorial, May 23, 1827: "The leading article in this day's Record is an extract from the Journals of our State Legislature. The subject has been for a long time before the Assembly. Year after year Mr. Welles has been drawn to Harrisburg to

a marvelous liniment, and the "canal boat full of bottles with his name blown in the glass," was surely an offset for "Welles' Folly."

Elias, the second son, married a daughter of Ira Stephens, Sr., and became the possessor of a fine farm near Spanish Hill; the house which he built is still standing. One of his daughters, Mrs. Guy Tozer, is still a resident of Athens, and another is Mrs. Lydia Buck, of Sayre.

The other children of Elisha and Elizabeth Matthewson were Cynthia, who married Lebbeus Hammond; Fanny, who married Mr. White; Lydia, who married William Means, and Elizabeth, who married Mr. McKean. Mrs. Matthewson lived with her son Constant in later years until her death in 1851, at the age of ninety-one.

As for General Henry Welles, he did not live long to enjoy the home for which he had made such a struggle. He died suddenly in



MRS. SALLY SPALDING WELLES

the very prime of life, December 22, 1833, leaving his widow, Sarah Spalding Welles, with three sons, George Henry, James and Henry S., and two daughters, Susan and Frances. George married Eliza Saltmarsh and occupied the old homestead with his mother until his death.

defend his rights and his character, both of which have been assailed in a manner which we thought unjust. Mr. Welles we have long known, and esteemed, as a gentleman of perfect integrity, as he certainly is distinguished for handsome talents, and urbane manners.—The paper placed upon the Journal by Mr. Haines, in our opinion, completely vindicates him, and places the whole matter in a proper point of view. The plan to take away his land by the most high handed and unconstitutional means, of a Legislative enactment, is abandoned. A law has been passed for quieting Mathewson; and owing to the patient research and able exposition of the whole subject by Mr. Haines, an end is put to this long and painful controversy, which every year was a bill of heavy expense to the state."

James married Mary Wells of Aurora, and died without issue. Henry married Amelia Beardsley of Auburn, and in 1865 became possessor of the old Stone House and the Point farm. It was long occupied by his son, Henry B. Welles, whose son Henry, 4th, was born there. Two other children of Henry, 2d, are still living, Charles S. and Amelia; also one son of George H., George Welles, 3d.

Mr. Buchanan, the purchaser of the Point farm, in 1873, after some years residence, sold to John O. Ward, who despoiled the entire property of the grand old trees which added so much to its beauty and value. It is now the property of the Kirby estate of Towanda.

As to Richard Caton's interest in the Indian Arrow, it was reconveyed to him in 1813 by Charles Carroll, and in June, 1825, he made a trust deed of the remainder and some other lands to Robert Oliver for the benefit of his creditors. This deed is given, as it defines his lots, and also shows the valuation of the warrant, and the large amount of foreign capital that had been at his disposal.¹⁴

¹⁴ Richard Caton to Robert Oliver.—State of Maryland Baltimore County to wit: This Indenture made this 30th day of March, in the year our Lord 1825 Between Rich'd Caton, of the one part and Rob't Oliver of the other part. Witnesseth that the said Richard Caton for and in consideration of \$100 to be Pd. by Robert Oliver hath granted unto the said Robert Oliver his heirs and assigns. "All that parcel and part of the town of Athens owned by Richard Caton on Tioga Point, lying in Bradford County in the State of Penn'a situated north of the lots occupied by Henry Welles & Michael R. Tharp & Bounded on the north by the original line of the tract as laid out by Josiah Lockhart, on the West by the River Chemung, and on the East by the River Susquehanna; also all those parts of Tioga Point other than that just mentioned lying south of the Ferry Road & J. Decker's lot, which lie on the River Chemung to the West & on the River Susquehanna to the East, the whole of which parcels to the North of the lots occupied by Henry Welles and M. R. Tharp, & to the South of the Ferry Road & J. Decker's lot Containing two hundred & fifty acres of land more or less," as will now more fully appear by Deed from C. Carroll of Carrollton to Rich'd Caton. To Have and To Hold to Rob't Oliver, heirs & assigns in trust for uses following: In trust to convey to the purchasers and their heirs all such lands as said R. Caton may have heretofore sold, on payment to Rob't Oliver of the purchase money and Interest. And to sell and Convey all the residue of said lands together with a certain other tract of land near to Newtown in the County of Steuben, & State of N. York for any sum or sums of Money so that the purchase money of the two tracts together may make an aggregate amount of not less than 50,000 dollars, the said tract in the County of Steuben being conveyed by Deed bearing date this day to Rob't Oliver for the same use, intent & purpose herein specified; and also to receive the said sums of money which shall arise from the Sales of the said lands, or from the rents of the said lands, & to appropriate and pay over the said sums so received as follows, to pay

Francis J. Mitchell of Baltimore.....	\$6000	Robert Oliver	\$5000
William Hayes	166	Wm. Winchester	650
Christopher Johnson	500	Wm. Wellins	208
John Keirnan & Sons of London.....	8888	Andrew Dayton of London.....	1160.50
Sticker & Beatty.....	1748	Jasone & Swartz of Naples.....	3210
Joseph Sheets	1350	Swartz & Deagan of Leghorn.....	1160.50
Campbell & Wheeler of Virginia.....	211	John Thomas	9748
Leigh & Sherlock of Liverpool.....	10000		

As trustee for sundry persons in the United States & Great Britain, now supposed to be dead, absent or insolvent, who had claims against the said Rich'd Caton in the year A. D. 1802, to be paid to the said persons, or their representatives, duly authorized, as the said Richard Caton shall direct, & Appoint, in default of such direction & appointment, or if after having been made, and due notice been given to the said persons, or their legal representatives, do not claim the sums to which they shall under the said appointment be entitled within 3 years after it shall have been made known to them, to be paid to the Bank of Maryland, the above mentioned persons being late creditors of the said Richard Caton to whom and for whose benefit, he, the said Richard surrendered all his property under the Bankrupt Law of the United States A. D. 1802, and received his certificate of discharge, dated May 4, 1803. The principal of the claims which the said creditors had against the said Richard in the year last above mentioned. And if the sums so received are not sufficient to pay the whole amount of the said claims, then to pay to the said creditors, as they shall be entitled to under the said claims provided that all such other sums as have been or may hereafter be received by virtue of any other lien, or by any of the said creditors shall be deducted from the said principal sum, and that the said dividends shall be for such sums only as shall remain after such deduction; & the amount of such deduction shall be paid to the Bank of Maryland. And if the said lands shall sell for more, then the OVERPLUSAGE to be paid to the Bank of Maryland. * * *

The Caton lands were now sold with a good title assured, although only a small sum was realized from them.

Athens has been called a Connecticut town, and it has been carelessly said *that* title prevailed generally except in the case of the Matthewsons; but careful investigation proves that while 319 acres were patented to applicants under Connecticut title on the Lockhart warrant, these patents were to only eleven persons, and but *six* of those were original Connecticut proprietors, to wit: John Franklin, Ira Stephens' heirs, Elisha Matthewson's heirs, Elisha Satterlee, John Shepard and Joseph Tyler. In the original town plot of 53 lots, only 17 Connecticut titles held, and those under the second grant of Ulster; 19 were held under Lockhart's title, and 14 first sold under Connecticut title had to be repurchased from Henry Welles or Richard Caton. The proportion was even larger in the second and third divisions of lots, and thus it may well be said that Lockhart's title to the Indian Arrow prevailed, *a statement never before in print*. Henry Welles owned in the village, from just above present Chemung Street to opening of Elmira Street, west of Main, and from the Williston line on the west side of Main Street to the White Gate. Caton had about forty-three acres on the west side of Point below this, which Welles purchased, the deed being executed just two months before his death. To make this purchase he went to Baltimore in 1832, being "induced to make the request solely on the grounds of its interference with his land, and the constant necessity of protecting it with his from the encroachment of the frequent floods." Thus, before his death, he had the pleasure of seeing the Point farm nearly complete, seven acres on east side, just below White Gate, being added by his son George. As long as he lived he assisted Mr. Caton's agents in disposing of his lands in and near Athens. In 1828 he reported the forests "as trackless as the sands of the Great Desert or the waves of the Atlantic." Allusion is made to a "Great Lick" on some of the Caton land, and the owner writes that if it prove salt he will send up persons to boil it and give Henry Welles an interest. In 1840 Oliver's trusteeship was assigned by his heirs to trustees appointed by the court of Baltimore. Richard Caton died in 1846. The last purchases found are of the upper part of warrant from old Ulster line, deeded from Caton trustees in 1845 and '46 to Guy Tozer and Francis Tyler, each 110 acres.

After this book was in type we received a copy of a portrait of Ashbel Welles, also much additional family history from his granddaughter, Miss Lauraine Welles Cook. Sabrina Parsons, who married Ashbel Welles, evidently, after he came to Tioga Point, was the daughter of Jacob Parsons and Lauraine Sedgewick, Connecticut people, who had settled in southern New York. Jacob Parsons was a sea merchant, and his wife was a sister of the well known Chief Justice Stephen Sedgewick of Strockbridge, Mass., descendants of Robert Sedgewick, Major General of Boston, a distinguished Englishman. Hannah, another daughter of Jacob Parsons, married Judge Williston.

After the death of Ashbel Welles, his widow married ——Dewitt, and lived in Athens many years, her history having been traced by the writer from old church records. All of Ashbel Welles' descendants left this locality prior to 1860, the last being the Cooks. From them we learn, in addition to matter on page 484, that David Mansfield Cook, Sr., of English descent, and fourth of his name, came to Athens with his wife, daughter, Eunice, and son, David, Jr., between 1815 and 1820. Both father and son were graduates of Yale. David, Jr., m. Lauraine Sedgewick Welles November, 1826, and they had eight children, born here or in Elmira, of whom three survive; Miss Lauraine, Mrs. Mary A. Hendrick, and Charles L., to whom we are indebted. There are also a number of descendants of the other children. The original portrait of Ashbel Welles was painted on wood, artist unknown, from which the copy (reproduced opposite page 353) was made some years ago. A portrait of David M. Cook, Jr., left in Athens, we have been unable to trace.

PART IV
GENERAL HISTORY

1785-1860

The *History of Old Tioga Point* may be said to have ended with the close of the land controversy; but there is much of interest omitted, relative to town and county organization, the progress of improvements, and the coming of later pioneers, whose descendants are still here. Therefore we have chosen for our fourth and closing epoch the period from the erection of Bradford County to the construction of the railroads, and the outbreak of the Civil War. There are also included various chapters illustrative of pioneer life in Tioga Point and Early Athens.

CHAPTER XIX

ANNALS OF EARLY ATHENS

1810-1860

The history of Tioga Point titles having been completed, let us retrace our steps and gather up the loose threads.

The years 1816 to 1819 were full of hardships for the pioneers, on account of severe seasons. There was frost in every month of 1816, and a heavy snow storm in June; this was long known as "the Cold Summer." Early frosts destroyed the corn, which froze and rotted so that even cattle refused it. The crops of grain, as well as vegetables, were almost entire failures; and in the following Winter, rich and poor suffered alike, both from lack of food and the intense cold. Drought and scarcity prevailed for nearly three years, many cattle dying, and sickness increasing, recalling the famine of earlier times.

However, the community was progressing; the Academy was established, regular religious services were held, and *the first Athens library* was started about 1815 by David Paine. A postoffice and regular stage route were also established, and merchants continued to come and go. Walter Herrick, who married Minerva Hopkins, had removed to Owego, but one of Col. Lindsley's sons had succeeded him. Jeremiah Decker had left and Peter P. Loop was agent for Matthias Hollenback.¹

Ebenezer Backus came to town in this decade, probably about 1812. He was an old acquaintance of the Welles and Saltmarsh families in Connecticut. As traveling agent for the Postoffice Department, he lived at Athens, Lindsleytown and Owego previous to 1816, and at Chenango Point in 1829. In 1814 the "Backus Hotel" in Owego was the terminus of the stage routes. In 1816 he purchased the house just completed by Jeremiah Decker on lot No. 38, who had built beyond his means. This was ever after known as "the Backus House," although the north wing was part of Dr. Hopkins' first home. It was a fine specimen of the architecture of the period, with panelled wainscoting, many hand-carved mantels, and quaint doorways. It was demolished in 1901. Although Ebenezer Backus died in 1831, the house was occupied by his family for about fifty years, becoming eventually the property of his son, Henry R. Backus. Probably no lot in original village plot changed owners oftener than this, as there were ten previous to Mr. Backus. The name of Backus is not perpetuated in this vicinity.

We regret inability to reproduce the fine portraits of Mr. and Mrs. Backus, now in the possession of Mrs. Charlotte Morris (Coerr), daughter of Sarah Tompkins (Morris), who was the daughter of Isaac

¹ A letter from Loop was found some years ago, dated 1817, in which he mentioned arrival of goods in John Griffin's boat, expressed himself as "wearied with the dullness of the town," and amusing himself by studying French—could not be content at Tioga Point were it not for the hope of returning to Wilkes-Barré.

Tompkins and Helen Backus. We know nothing of Isaac Tompkins except that he was a merchant at Athens in 1820, and possibly still a resident in 1850, removing thence to Binghamton.



John Griffin

The Griffin family, Connecticut people of Welsh descent, settled in Canton, Pa., in 1798. One of the sons, John Griffin, Sr.,² removed to Tioga Point about 1808, purchased the property now occupied by O. D. Kinney and N. C. Harris, and built a log house, where he evidently resided until 1820, having obtained both Connecticut and Pennsylvania titles. At the latter date he sold the town lots and purchased the Yarrington farm on the "Old Stage Road," where he built a substantial residence, which he conducted as an inn after the fashion of the day, having also a distillery. As he prospered, he purchased other farms in the vicinity, and all of this property still belongs to his heirs. The spacious house was the family homestead for seventy years or more, and

we can personally bear witness to the innumerable heirlooms and relics of early days that occupied the garret until a very recent date.

Those who settled at Silver Lake, under Dr. Rose, soon found themselves grossly deceived, and about 1818 many removed to Athens Township; to wit, Samuel Warner,^{2*} James Calkin of Nova Scotia, and a number who settled in Milltown. Although the Warners had not a continuous residence in the township, they were connected with the life of the valley for more than half a century. Samuel Warner soon after his arrival was made a deacon in the only church, and later an elder; and the name of "Deacon Warner" is still revered by all the pioneer families. No name more often occurs on the old church records than this, ten or more members of the family having been baptized, and many having been active members. Edward W. Warner lived in Athens village, and was also an elder in the church. His children were born here, and have preserved their affection for the valley. Frederick Welles Warner is now a well known business man of Rochester and Edward R. of Bay View, Michigan. William F. Warner, the last of the name in this vicinity, was long a resident of Waverly, a brilliant lawyer and active historian. The family vibrated between Athens, Mill-

² John Griffin, Sr., was the son of Samuel, son of Samuel the emigrant, b. near Guilford, Connecticut, March 5, 1783; d. March 1, 1843; m. July 5, 1810, Betsy, dau. of Ezra Spalding of Plainfield, Conn. Their children were Eliza, Lucy, Hannah, John, Jr., Jane, Sarissa and Mary. John, Jr., m. Nancy, dau. of Isaac Morley, whose descendants are still here. Mary m. Abram, son of Isaac Morley, some of whose descendants are residents of the borough. The Griffin family have always been prosperous and highly esteemed, and have held various public offices. The accompanying silhouette evidently portrays the pioneer John as a young man. Samuel Griffin was a fifer in Capt. Clark's Company, 1st Regt., Connt., in 1776, and he was at the battle of Yorktown.

^{2*} Samuel Warner was a Massachusetts man of English descent; his wife, Abigail Stevens Chamberlain, was a daughter of Moses Chamberlain. They had eight children; Mary, Abigail, Harriet, Samuel C., William F., Moses C., Anne Paine and Sarah Welles; Samuel had also three sons by a former marriage, Addison, Edward W. and James. Of these only Sarah, the youngest, now survives, a resident of the valley. Edward W., m. Mary Ann, dau. of Ashbel Welles.

town and Owego, keeping in close touch with all the people. We are indebted to Wm. F. Warner for a most delightful sketch of Athens characters of this period, prefacing which he said it was "doubtful if another town of its size could furnish so many able and marked characters as Athens for a generation or more after 1818." Clement Paine, as years advanced, had become an eccentric.

In proper humor no one could surpass his pleasing social manners, but ordinarily he chose to live apart, and was almost inseparable from his old horse Dick, a lank, ungainly roan who learned his master's peculiarities, and shared his moods. From a slow walk he would suddenly gambol, then amble, then gallop sharply, then resume the walk apparently without direction. Thus horse and man became inseparably associated for about twenty years, Mr. Paine's health at this period requiring an out door life. Many anecdotes are told of him, his austerity sometimes becoming amusing even to himself.—W. F. W.

His wife was distinguished for her Christian character, intelligence and many virtues, known to the public by portions of her journal printed in "Early Times." Her letters, still in existence, were as voluminous as they were remarkable, generally addressed to her sons. Francis Tyler, always an industrious lad, had become very prosperous, and in 1810 purchased of Clement Paine eighty acres, Mr. Paine allowing him "to improve the land, 1 ton plaster, 5 bushels spring wheat, 1 bushel peas, and 100 fruit trees from Paine's nursery", which was established between Paine Street and present L. V. R. R. Station. A curious reservation was *one right in the shad fishing*. For this property, according to Mr. Paine's memorandum, Mr. Tyler paid \$4,000 cash, and later purchased adjacent lands at intervals, leaving to his descendants a goodly heritage. At this period came Uriah Wilson, from Kingsbridge, Westchester County, N. Y., a college-bred man of some importance in his native town. He purchased some school lands in the borough and built a house, still standing on Main Street. His wife was Mary Harkness. His son James, one of twelve children, born April 8, 1820, was, at the time of his death in 1905, the oldest native citizen of Athens, from whom we obtained many facts of interest.

In 1820 Ira H. Stephens and James Calkin were merchants in the village. Calkin purchased the home of George Welles, but was not long a resident. This year the Chemung bridge was completed, a great convenience to the country people; it was built a little south of the old ferry, necessitating the opening of Tioga Street. This year also the first known cabinet shop was built on the site of present Stimson House by Daniel Rote, who married a daughter of Elisha Matthewson. (As we are going to press we learn that Mrs. Rote was not, as we supposed, Elizabeth Matthewson, one of the early belles



ELIZABETH MATTHEWSON

of Tioga Point, whose portrait is here introduced. Elizabeth, known as a masterful young woman, married Benjamin McKean, of Troy.)

David M. Cook, a native of New Haven, Ct., came to Athens about 1818, and married Laura, daughter of Ashbel Welles. Little is known of his life or occupation here, further than that he built quite a pretentious house on the lot now occupied by N. C. Harris, which Cook purchased from Dr. Hopkins and John Griffin, Sr. The house was described as "large and commodious, with spacious chambers and broad halls, embracing all the modern improvements, and finished with Venetian blinds." It is shown in the picture of 1842, and is still standing on the south side of Hopkins Street, now known as the Kinner House. Mr. Cook sold the place to Lemuel S. Ellsworth,³ and purchased a farm on the Plains, where he erected another house, east of the road, still standing, later occupied by a brother-in-law, George O. Welles, and sold in 1841 to Guy Tozer, Sr. He removed to Elmira, where he became editor and part proprietor of the *Elmira Republican*. "He was a conspicuous member of the great Whig party; a true, faithful and able exponent of its principles. As a citizen, neighbor and friend he had the respect and warm regard of all who knew him." At his death, October 14, 1843, a remarkable obituary showed forth his ability and fidelity, and the esteem of all acquaintances. We find in the old burying-ground the graves of David and Hannah Cook, who were probably the parents of David M. A son and daughter now live at Clarksville, Tenn.

Justin Forbes, for many years a well known and enterprising citizen of Athens, came in the decade previous to 1820, and was a merchant, lumberman, mail carrier and stage driver until he went south with the Saltmarshes. His first property was the lot now occupied by M. P. Murray, purchased from John Redington, although no house ever seems to have been erected by either owner. Later Forbes had a store and residence in the house now owned by heirs of Hopkins Herrick. Little is known of either of these families, though Mr. Redington may have been the father of the far-famed beauties, "the Redington girls," of Marshall's Corners. In 1822 there came to town some Welshmen, who were long actively connected with the making of Athens. William Parry⁴ was one, and his friend and acquaintance, Thomas R. Davies,⁵

³ The house passed from Mr. Ellsworth to Isaac Tompkins. In 1851, his wife, Helen C. Tompkins, deeded the house and lot to Elizabeth, wife of Col. Charles F. Welles, who moved it to present position in 1854. It proved impossible to reproduce the old picture in possession of the writer.

⁴ William and Jannet Parry had five children; Ellen, Samuel, Mary, Margaret and Elizabeth. Samuel is still living at Galesburg, Ill.; Ellen m. William Fury, resided elsewhere; Mary, one of the loveliest women Athens ever knew, m. an Englishman, Mark Thompson, and lived here or in vicinity; Margaret m. William Fritcher and lived and died here; Elizabeth m. Charles W. Clapp, and has been a lifelong resident of the borough. Mrs. Parry survived her husband many years. She was greatly beloved and esteemed as a noble Christian woman, full of loving sympathy and untiring care for all her friends and neighbors; self-sacrificing, generous and meek to an unusual extent. Her death was in 1871.

⁵ Thomas R. Davies, son of David Davies and Elizabeth Williams, b. 1795, in the parish of Lowes, South Wales; emigrated to America in 1819, settled in the valley in 1821; m., in 1822, Asenath, dau. of Moses Woodburn, an active Revolutionary soldier, and one of the New Sheshequin pioneers. Mr. and Mrs. Davies spent their lives in Athens, living to celebrate their sixty-fifth wedding anniversary, and both dying in 1883. They had three sons and seven daughters; Eustace, decd.; Elizabeth, m. F. S. Elliott; Adelia, m. H. A. Phelps; Nancy M.; Jane, m. A. O. Snell; Thomas, decd.; Sarah, m. J. Rose; Heloise, m. O. P. Hyde; Malvina, m. E. A. Marsh, and Eugene. Two daughters, Mrs. Phelps and Miss Nancy Davies, are still resident here; also two granddaughters, children of Mrs. Jennie F. Snell, who, like her mother, was a graceful and accomplished writer.

the other. Probably they came to Philadelphia with a party of Welsh people. At any rate Mr. Parry married there in 1822, Jannet Jones, a wealthy Welsh girl of good family. One of her sisters settled also in Athens, and it was not long before Mother Jones *drove up from Philadelphia*, and purchased a large plot of land for her daughters, covering the ground west of Main Street, now occupied by Universalist, Baptist and old Catholic Churches, later known as the Herrick plot. Mr. Parry at first was "general factotum" for Clement Paine, having charge of his many properties; and it may be said he was never abashed by the austerity of his employer. In 1833 he became keeper of the Chemung bridge, and all the reminiscences of "Commodore Parry" are in the bridge house, where he spent twenty-five years of his life.

"Wit was as natural with him as breathing, though it is as impossible to describe wit as to define the taste of old wine or the odor of flowers. If a good hearty laugh is better than medicine, then William Parry did his full share in a sanitary way for Athens. There was but one street in the town, and a joke by Parry, when started at his end of it, would be caught up and carried along to the other, until the entire street resounded with convulsive laughter."—W. F. W.

Thomas Davies and his brother Eustace, who followed him to America and Athens, purchased land of Henry Welles, on west side of Main Street, from north line of old Athens plot, one lot north of "the burying ground hill" to opening of Elmira Street. Industrious mechanics themselves, they sought to benefit others. The land was plotted and sold in small lots, corresponding to those below, and later the street was opened now known as Elm Street. In 1815 Zephon Flower made a plot of the school lands east of Main Street, called "Upper Town of Athens." At a later date Thomas Davies purchased from Mr. Rote lots Nos. 3, 4, 5, 6 and 7 of this plot, now occupied by Page Block, Stimson House and J. L. Elsbree residence (the latter built by H. C. Phelps, a son-in-law of Mr. Davies). He was long a Justice of the Peace, and was often an arbiter in law cases, as he advocated the peaceful settlement of all just claims, greatly assisting in the advancement and progress of the town.

In 1823 a young man came from Ithaca to establish himself in business at Athens, where he spent practically the remainder of his life. George A. Perkins, a young man of good birth and education, had made a specialty of chemistry and pharmacy; and learning that there was no one of his profession in or near Athens, he was readily induced to locate there, being about to marry Julia Anna, daughter of



Julia A. Perkins



G. A. Perkins

John Shepard. The house built or remodeled by Judge Herrick on Welles-Caton store lot being then vacant, the young couple took up their abode there, and the first drug store of Athens was opened in the north wing of the house.⁶ The young man brought with him, as clerk, his younger brother, Edward H. Perkins, and as they began life together in Athens, we thus present them to our readers. Their portraits were painted about 1830 by the same artist, S. A. Mount, N. A.

George A. Perkins⁷ was one of the leading merchants of Athens for fifty years. In 1827 he built the house near Tioga Street, where he and his wife lived together for more than fifty years. Originally, as

was the custom of the time, the north part of the house was occupied as a store. George A. Perkins was an earnest Christian, a rare character, such as is seldom known. Very soon after his arrival he was made an Elder of the Congregational Church, later Presbyterian, of which his wife was one of the first communicants; and such he remained for sixty-one years.

Edward H. Perkins,⁸ after a short residence with his brother, returned to Ithaca, completed his education, and was appointed a midshipman in the navy in 1828, in which he continued for several years.

⁶ The *Bradford Settler* at this time has an advertisement of James Calkin and Charles I. Lockwood, mentioning "Drugs, Medicines, etc." In the next *Settler* Mr. Perkins' first ad appears, dated October 20th, "Drugs, Medicines, Paints and Dye Stuffs, as reasonably it is presumed as they can be found at Ithaca. * * * Also for sale most kinds of such goods as are usually found in country stores."

⁷ George A. and Edward H. Perkins were descended in the seventh generation from John Perkins, original emigrant; b. 1590, in Newent, Gloucestershire, England. He was a passenger on the ship "Lyon," which anchored at Boston February 5, 1631. After a short residence in Boston, John removed to Ipswich, Mass., d. 1654. The father of George and Edward was Augustus, son of John, 3rd, b. at Franklin, Conn., 1773, d. at Ithaca 1831. George A., b. at Norwich, Conn., 1798, d. at Athens 1884, m. Julia Anna, dau. of John Shepard. To them were born eight children, all of whom grew to maturity, and are well known in the valley. A fuller account of this family may be found in "Early Times," written by Mrs. Perkins.

⁸ Edward H. Perkins, b. at Norwich, Conn., April 4, 1810, d. at Athens October 23, 1902, m. 1832, Susan P. Welles. Their children were Henry W., Edward H., Augustus S., Sarah W., George W., Lucy H. and Susan F., all deceased. Mrs. Perkins d. September, 1847, and he was married again, to Mary Eglin. Their children are Mary R., Ellen G., William H., Elizabeth B., and John L., all of whom are living at present. There are also descendants of Edward, Jr., Sarah (who m. Edward James), George W. and Susan (who m. Delos McCurdy).

seeing service in the Pacific. Having married Susan, the daughter of Gen. Henry Welles, the family solicited his abandonment of the sea; he resigned and became associated in business with his brother, and made Athens his home for the remainder of his long life, attaining the great age of ninety-two years. During this period he was called by his fellow citizens to fill many positions of trust in the town. Under Lincoln's administration, although unsolicited, he received an appointment at the hands of the Hon. David Wilmot, and other interested friends, as United States Consul to Santa Cruz, the capital of the Danish Islands. This position he filled for nine years, during which he had many interesting experiences, and proved himself worthy of the responsibility vested in him.



E. A. Overton

Thomas Overton, already mentioned as coming to Athens in 1807, purchased lots Nos. 28 and 29 in original plot; and as near as can be learned built the house on the river bank on No. 29, afterwards long the habitation of Dr. Huston. About 1820 he settled in Ulster, keeping a public house there for some years.

His son William⁹ lived in Athens and Milltown the early part of his life. William Overton was engaged with his brother-in-law D'Alanson Saltmarsh in heavy mail contracts in the Southern states, suffering ruinous losses at the time of the Rebellion by the forfeiture of contracts. After this he was in the custom house in New York, and finally lived at Towanda with his son D'Alanson Overton, the late well-

⁹ William H. Overton m. Eliza, dau. of John Saltmarsh, Sr., and had eight children, b. at Athens and Milltown, to wit, Mary A. (one of the most beautiful girls of early Athens), Orlando, James and Eliza, who died in youth; D'Alanson, Celestia, Emily and William. Mary m. William Shipman and had three sons; D'Alanson, who lived and died at Towanda, m. Eliza Montanye and had two daughters; Celestia m. William B. Darlington and had three daughters; Emily m. Rialdo Dorman and had one son and three daughters. Many descendants of William and Eliza Overton are still living, though there are none at Athens. There are also numerous descendants of Thomas Overton, Sr.'s, family in Towanda and elsewhere. This family were highly respected and beloved throughout this region. Edward Overton, Sr., brother of Thomas, lived in Athens from 1824 to 1832, then removed to Towanda, where he died in 1873.

known lawyer. In 1824 William Briggs^{9*} came to Athens, whence, after several years' residence, he removed to Towanda. His daughter Emily married Elisha Satterlee, Jr., and was the mother of C. H. Satterlee, a present resident. In 1825 he built the once well-known hostelry, in



THE OLD EXCHANGE HOTEL

later days called "the Exchange," but originally known as "Briggs' Tavern." The picture here presented was taken after the building was remodelled by the Park brothers in 1840, and shows it in all its glory. It was always the stopping place for the stage, and consequently was the most important tavern of the town. When the rattle of the heavy coach was heard, and the crack of the driver's whip, the population, young and old, always rushed out to see the coming of the stage, the event of the day. That this was the stage stand was manifest in the huge sign, on which was portrayed in all too brilliant colors the coach and four, renewed as often as defaced by wind and weather. When this famous old tavern burned there were many who wished they had remembered to save the sign and the old bell, of which only the clapper remains. At the time of its erection it was thought to be "*too far up town*," and then it became the very heart and center of the village, sheltering in its day many notable men; Buchanan, Fremont, Van Buren, Greeley, Giddings, Wilmot and others. It knew its greatest prosperity in the days of the stage coach, and after the coming of the railroad was "*too far down town*." The greater part of the third story was a spacious and famous ball room, called "the Saloon," opening on the balcony. It knew as hosts, in turn, Briggs, George and "Sterry" Park, Olmstead and Birchard, Kinney, Ercanbrack, Welles, Sloan, Jordan, Noble and Patterson. It was the last of the famous old taverns of Tioga Point, as Matthewson's "Red Tavern" was the first; and its destruction was greatly mourned.

^{9*} William Briggs was a direct descendant of John Briggs, "a man of means and ability and a warm personal friend of Gov. Winthrop." John was born in England in 1610 and came over in 1635. He was admitted a freeman in Newport, R. I., in 1638. His descendants later lived near Schenectady, and William came thence to Athens. He was a well-informed man, an old-time gentleman, he lost his private papers in a fire which destroyed his home in Towanda.



L. S. Ellsworth

Academy, and about 1840 he built a fine house on lower Main Street (now occupied by Mrs. Noble). This was said to be the first frame house built in Athens that did not include a store, or was not intended for a public house; and although changed by the addition of a modern piazza, it is still an excellent example of careful hand workmanship. It is very similar to the body of the old house built the same year

Its site is now occupied by the residence and grounds of O. L. Haverly. Just north of it was built, soon after its erection, the house of Dr. William Kiff, in style like Dr. Hopkins', with two wings, although not so pretentious. This house was burned long before the Exchange perished.

1825 seems to have marked an era of renewed prosperity. The canal boom was begun, and great things were once more hoped for in the town. A brisk young man of means, who had come to town about this time, was Lemuel S. Ellsworth,¹⁰ another enterprising merchant. He married Caroline Backus, and built a small store on the corner of the Backus property. In 1825 he was a teacher in the



FIRST PRIVATE RESIDENCE IN ATHENS

¹⁰ Lemuel S. Ellsworth (son of John Ellsworth and Ruth Stoughton of Windsor, Conn.) was sixth in descent from the original emigrant, Josias Ellsworth, who came from England and settled at Windsor, Conn., in 1646; m. Elizabeth Holcomb. John Ellsworth lived for a short

by Horace Williston, Sr., although the latter has the usual wings, which were in this case intended for offices. At a later date Lemuel Ellsworth removed to the David Cook house. He was a progressive and enterprising man, and it is regrettable that there is no earlier portrait in existence. He removed to Chicago about 1850, having been school teacher, postmaster and merchant. His sisters, Emily and Harriet, never married, and lived and died in the old home, loved and honored by all who knew them. There is no trace of this family now in this vicinity, and yet Lemuel Ellsworth seems to have been one of the Makers of Athens; having erected, besides his house, the first brick building in the town, a pretentious edifice for stores and offices, three stories high, to be seen in a later illustration, facing page 512.

In 1825 two English ladies, Sarah and Susan Robb, opened a private school in the house built by Thomas Overton, another distinct advance for the town. About this time Athens lost an active citizen in David Paine, who removed to Portland, Maine. But the lure of the valley was upon him, and within a few years he returned, bringing with him as his second wife the gentle lady who was long a resident of Athens, Anne W. Harding. Having no children by either marriage, he and his cultured wife gathered around them the young people of the community, Mrs. Paine instructing in both music and general branches. It has been said that few homes in old Athens presented more of refined social enjoyment.

At this time David Paine owned all the Island, which was cultivated as a farm from 1790. This was included in the original grant of Athens, assigned to the second division, in five portions, although lots with corresponding numbers were found on main land. Having originally, therefore, five owners, it later became the property, in turn, of Noah Murray Sr., Samuel Hepburn, David Alexander, David Paine and Horace Williston Jr., and was given the name of its various owners.

In 1826 the town and the owner were agitated over the destruction of the smaller of the Hollenback houses, perhaps it was the Secord house. There seems to have been some quarrel about the land, but only allusions to the contested title are now found. The house was evidently entirely dismantled in the night, even the cranes and chimney bars. Mr. Hollenback was of the opinion that a large number were concerned in "throwing down the house," as he expressed it, though only a few were actual participants, the chief being said to be a stage driver. Mr. Williston was about to vacate the big house in which he had lived several years, during which time the store was apparently not open. Mr. Hollenback, therefore, wrote to Henry Welles asking him to find a new tenant, saying: "I would like the house to be occupied as a tavern and store, and I will give it my custom." He mentions that Judge Williston gave \$60 a year rent for house without store part, the store-house rented for \$30, and the little house for \$24, giving time in Wilkes-Barré and died there. Lemuel and Lyman, his sons, removed to Athens, and in 1830 the mother and three daughters, Abigail, Harriet and Emily followed them, and long made their home in the house built by Lemuel. Abigail m., 1833, Job Shepard (son of John Shepard), "a just, upright and unassuming man, a quiet Christian gentleman." They had three children; Anna, Cornelia and Henry; the latter born in "Elm Cottage," and later a well known and distinguished citizen of Chicago, was an ardent lover of "the Valley." The children of Lemuel and Caroline Ellsworth were Charlotte, Belle, Frederick, William, Caroline and Julia.

an idea of values on the Point at this time. This letter was addressed to "Eathens at Tioga Point." In 1819 Abner Murray purchased of Richard Caton the lot now occupied by F. T. Page. Mr. Murray built a house on this lot, but evidently for rent, as indicated in the letter of Mr. Hollenback just quoted. At a little earlier date his brother, Noah Murray, Jr., purchased the lot just above and erected a house and office, close to the river, where he lived until removal to the West in 1831. Noah Jr., was Justice of the Peace from 1816 to 1831, and married more couples than any other known Justice. He had a large family of interesting children; his oldest son, Charles, was one of the most prominent men of his day in his adopted State, Indiana, having a long residence in Elkhart County.

In 1827 Thos. I. Brooks came from Montrose and established a hat factory in the house now occupied by P. J. Stone on village lot No. 25. Mr. Brooks was born in Danbury, Conn., and his wife, Eliza Champin, was born in Norwich, Conn. Some of Mr. Brooks' descendants are still residents of the valley. The only one in Athens is Mrs. Robert Finch, a granddaughter. Mr. and Mrs. Brooks lived and died in Athens, active and intelligent Christian people.

Guy Tozer Sr., and Constant Mathewson were merchants from 1820 to 1830.

Nathaniel Clapp Jr.,¹¹ at this period was an ambitious merchant, lumberman and cattle drover; a highly respected citizen, as evinced by his election to the Legislature, and appointment as member of the State Constitutional Amendment Convention in 1837. Possessing the confidence of all, he was banker for the savings of the community. His store was on the lot now occupied by Walter Page; his house the present Canfield house, which was rebuilt by Mr. Clapp, having originally been part of the ill-fated buildings of Guy Tozer on "the Green." Here are some prices from one of his old bills: *Butter .10 to 1s. per lb*, coffee, .75, tea \$1. He brought the first cast-iron cooking stoves to Athens about 1840, ponderous affairs, named "the Hathaway." Although overtaken by financial disaster, his being the first mercantile failure in Athens, he honorably relinquished all to his customers. Later he became a contractor, living in New York City and Scranton. He was succeeded in his store by Charles Comstock,¹² son-in-law of

¹¹ Nathaniel Clapp, b. April 19, 1795, at Livingstone Manor, N. Y., was the son of Nathaniel Clapp Sr. (of Holland Dutch descent, whose ancestors came over with William Penn), and ——— Germon, a French woman. The Clapps were Quakers, and Nathaniel Sr., always wore the dress. The family settled near Spanish Hill, probably about 1810. The other son, Allen Clapp, m. Ann Quick, and was a lifelong citizen of Athens, greatly beloved in his old age by all the small fry, to whom he was always "Uncle Al." The daughters of Nathaniel Sr., married and settled here. Nathaniel Jr., m. Cynthia, dau. of Ira Stephens; their children were Julia (m. ——— Barnes), H. Clay, who became a prominent contractor, whose family still live in the valley; Stephen G., who lived here until maturity; Amelia (m. William E. Allen), the only survivor of the family. Allen Clapp had several children; his son, Charles W., was a well known and active business man of Athens all his life.

¹² Charles Comstock, son of Enos Comstock and Deborah Kellogg, was fifth in descent from the original emigrant, Christopher, who came from England, settled at Fairfield, Conn., and m. Hannah, dau. of Richard Platt. Charles, b. September 25, 1795, at Norwalk, Conn., m. Almira Kingsbery; children, Stanley H., removed to California; Henrietta, m. Stephen, grandson of Dr. Hopkins, descendants settled in New York State; Malcolm, long a resident of this locality, later of the West; and Walter I., a resident of Athens to maturity, now living in New York City, m. Louise, dau. of Orlando and Sarah (Goodrich) Saltmarsh. (The Comstock, Hopkins and Kingsbery genealogies have been carefully traced by a descendant, Charles Hopkins, of Rome, N. Y.)

Col. Kingsbery, who also purchased lot 41, built house still standing, and had his home there many years. Mr. Comstock was a surveyor, and was for a number of years engaged with his father-in-law in surveying the Leray lands. Having been in trade at Towanda before his marriage, Col. Kingsbery, who was one of the assignees of Nathaniel Clapp, probably suggested the Athens venture. After the fashion of the day, Mr. Comstock not only had the grocery and provision store, but for several years was an active lumberman. He continued as a merchant until his death, although the old Irwin store was abandoned in 1860 for one in the brick block. His son Stanley was also a merchant of Athens on his own responsibility prior to his removal to California. Charles Comstock was one of the first active Episcopalians in Athens, assisted in organizing Trinity Church, and was a member of its first vestry. He was a man of considerable culture, and very public spirited, as shown in the *Scribe*.

Athens was incorporated as a borough in 1831. It is a strange coincidence that the name first given by the Connecticut claimants was permanently bestowed upon Old Tioga the same year that the former great leader passed away.

Colonel John Franklin, from the time of his last sitting in the Legislature, in 1805, seems to have dropped entirely out of active life. It has been said that "old age was creeping on," but that is hardly accurate, for he had not attained his sixtieth year when he stepped aside. Possibly chagrin at the defeat of the Connecticut claim as a whole had some influence over him. He showed his persistency only in neglecting or avoiding application for a Pennsylvania title to his home east of the Susquehanna, where he and his wife led a quiet and retired life. It is at least a small tribute that, as long as he lived, his title was never called in question. He was long revered as a wise counsellor, and he delighted always to tell the story of the struggle of the Connecticut pioneers. It became the custom on the death of any of the early settlers to have him make some remarks at the grave, when he always created a lasting impression. Would that these remarks could have been recorded! It is not strange that toward the close of his life his active brain gave way, and the gleam of fire in his eye faded, and the face became shrouded in gloom. Then he was ever in fear of seeming pursuers, and often became violently excited in his imaginary encounters with his enemies. At this time, for a number of years, he was tenderly cared for by his old comrade, Daniel Moore. March 1, 1831, the fire burned itself out, and the old soldier and patriot was laid to rest, his wife surviving him but three years. Colonel John Franklin died a poor man, a pitiful fact, perhaps however, unknown to him; for the old accounts, still in existence, show that for ten years previous to his death the necessities of life were furnished to him by the merchants of the vicinity entirely on credit. April 15, 1834, was advertised "Public auction of property of John and Abigail Franklin." The home property was bought by the executors, Samuel Ovenshire and Amos Franklin. Colonel Franklin's only living descendants are from his son Billa, who settled at Palmyra, N. Y., and later at St. Albans. Billa had

nine children, one of whom, Amos, came to live with his grandfather when a lad of seventeen. Some time after Col. Franklin's death, Amos married Cynthia McKinney; and while he relinquished the old home, removing to Michigan, it is a curious fact that his daughter Rebecca became the wife of Zephon F. Walker,^{12*} who had inherited the Col. Franklin home from its purchaser, his uncle, Nathaniel F. Flower, a son of the old surveyor, Zephon Flower.



Z. F. Walker

^{12*} Zephon Flower Walker, the well known surveyor and civil engineer, b. in Factoryville, July 1, 1824, was the son of George Walker, whose father, George, of German descent, settled early at Berwick, Pa., and later in Owego Township, now Nichols. George, Jr., m. Zulimma M., dau. of Maj. Zephon Flower. Z. F. Walker m. Rebecca, dau. of Amos Franklin and Cynthia McKinney. Always associated with his grandfather, he became an expert surveyor at an early age, and held many responsible positions, both in that capacity and as a public officer. He was long assistant engineer of Northern Division of Lehigh Valley Railroad. Mr. Walker d. 1898, highly respected and much regretted. His children were Franklin Z., Nathaniel F., Alfred I., Clara A. (m. George D. Bontoe), Ada M. and Helena L., all well known in the valley.

In 1836 Isaac Lowe, a famous old time blacksmith, came into town from Sheshequin; he married a daughter of a Sheshequin resident, John Christian Forbes, who had a remarkable history, having been without doubt the son of a wealthy and possibly noble German family. He has many descendants in the locality, none better known than "Aunt" Polly Lowe, daughter of Isaac, now ninety-four years old, who has been for most of her life an old-fashioned nurse of great repute in the best families of the early pioneers. With faculties unimpaired, she is replete with stories of the olden time, and has been of invaluable assistance to the writer, who has known her loving service for a lifetime.

The development of mail and stage routes in the Southern States opened up a very lucrative business at this period, or, at least, fine prospects; and it was engaged in by many Athenians with varying success from 1825 to 1860. The Saltmarsh brothers, Orlando and D'Alanson, were pioneers in this enterprise, and their associates were the Overtons, McDuffees, Tylers, Forbes and, possibly, others.

The first Burgess of Athens was David Paine. The original borough included only the territory between the Welles farm and Ferry Street. Clement Paine had opened Paine Street, and laid out lots west of Main and below the railroad, called "Painesville." (The last of the few houses erected by him, a very quaint building, has just been demolished—1901.) Between Paine Street and the junction of Main and Elmira, or, as it was originally called, "the Newtown Road," the land was only partially cleared, and the only dwelling at date of incorporation seems to have been that of William Parry (now owned by Mrs. Michael Brown). Even as late as 1840 the town children were afraid to go alone as far as Satterlee's Ferry.¹³

July 21, 1834, Richard Caton, for reasons now unknown, transferred the agency of his own and many of Carroll's lands from Col. Lockwood to Horace Williston Jr.,¹⁴ the son of Judge Williston; who must have already shown himself a man of merit, as the appointment

¹³ The inhabitants of Athens, with many others, were greatly alarmed by the famous meteoric shower of 1833, several accounts of which have been given to the writer; the most interesting being from the hand of the late Frances Welles Stuart. At this date, November 23d, Gen. Henry Welles was very ill (his death occurring a few days later, a great loss to the town), and the entire family were up most of the night. The daughter Frances described the occurrence, as did all who saw it, as though the air was as full of falling stars as it would be of snow flakes in an ordinary storm. It lasted from about 1 A. M. to 6. Frances Welles saw it from 4 A. M., and while much alarmed, as soon as daylight came she went out of doors to investigate, saying the ground was sprinkled with black flecks, appearing like burnt paper, which, however, fell to pieces at a touch. Probably there were no more terrified young people than the party of youths returning from a dance near Chemung, who found themselves suddenly enveloped in a shower of flame, and thought the end of the world had come indeed.

¹⁴ Horace Williston, Jr., son of Judge Williston, was born at Chenango Point, Aug. 7, 1813, d. at Athens April 13, 1878; came to Athens in 1819, was educated at the Academy; m. Jane White, sister of Esther White (Saltmarsh), who d. in 1839. In 1849 m. Catherine R., dau. of Robert Barber of Lancaster. Children, Anna B. (m. Lucius A. Sherman), decd.; Katharine M., unmarried, decd.; Horace, now a Methodist minister.

"From the settlement of his father in 1819, until his death, General Horace Williston was a resident and an honored citizen of this borough. Descended through both his parents from families who were among the earliest colonists of New England, he inherited those qualities of stern morality, unflinching integrity, Christian charity and conscientious devotion to duty which so strongly marked his character. In few men of the present generation are these heroic virtues of our puritan ancestors so strikingly manifest as in him. He was in the strongest sense of the term a positive man; possessing a deliberate and sound judgment, and a keenly discriminating sense of right and wrong; his conscience pointed out to him the right path, and no arguments, influences or allurements could swerve him; whatever his conscience dictated as right, *was right*, and there he stood: not quick to make friends, his confidence once gained he stood by a friend at all hazards: possessing a physiognomy on which rectitude was plainly writ-

was made before he attained his majority, and power of attorney given by Mr. Caton and Mr. Carroll's daughters in 1835. This stewardship continued for twenty-five years, proving that no mistake was made in the selection; 15,897 acres were committed to his care. He had both salary and commissions on sales at first, then commissions, and within a few years he was able to purchase about 4,500 acres of this land in Athens and Ridgeberry townships, which he had surveyed into small farms and sold to settlers. Horace Williston, with the exception of a few years, was a lifelong and active resident of Athens, and that he ever commanded the love and respect of the community is shown in the annexed sketch, written by an unknown hand and found in an old scrap book.



H. Williston

In 1842, when about thirty years old, he was elected and commissioned Brigadier General of 2nd Brigade, 9th Division Pennsylvania Militia, including that of this vicinity. His portrait, here given, will not be a familiar one to those who remember him in later life, a stalwart man with the peaceful face, so long familiar on our streets; but we rejoice to show him as the brisk young man in uniform. For this portrait, and many valuable papers relating to his career and to Athens history, we are indebted to his only son, Rev. Horace Williston, of Port Townsend, Washington.

General Williston in 1849 purchased the plot which had been David Paine's, from Island Lane to Ferry Road (including the island), and erected on the north portion a fine residence, now entirely altered from its original appearance. He was extensively engaged in large

ten few ever solicited him to encourage a project of doubtful character, and none did a second time. Reared by pious parents, surrounded from infancy by religious influences, exercising a broad charity with his characteristics, he was of necessity a Christian man, yet not until within a few months before death did he publicly profess his devotion to his Saviour; and when this was done it was in that positive and emphatic manner which none could doubt.

"Such a character, when years have proved that it is the real and natural one, must attract the admiration and devotion of all good men, and such was his fortune. There was no office within the gift of his circle of acquaintance that he could not have had, had he been willing to accept it; but to such a man official station had no allurements which would compensate for entering the political arena.

"In his boyhood, elected to the military station which gave him his title, and filling every office in the town and borough—not because he wanted *them*, but because his neighbors wanted *him*, he had no ambition beyond: always ready to work for the political advancement of his friends, for himself, never! Our churches, our schools, our cemetery, our temperance societies, our public improvements, whatever advanced the prosperity of the community in which he lived received a great portion of his time."

August, 1908. His son, who recently visited Athens, has proven himself worthy of all the attributes of his sire.

lumbering transactions, and in 1859 relinquished his stewardship of Carroll and Caton's lands to look after a timber tract in Virginia, being absent more or less for two years.

General Williston was an early abolitionist and one of the first advocates of teetotalism; he is said to have been "the first man rash enough to attempt raising the frame of a large building without the use of liquor. Such work was done by a bee, and the old hands at that sort of business laught in their sleeves at his coming failure in raising a large mill. But as the time approached good Deacon Tracy of Smithfield heard of it and told his family it would never do to leave a man in the lurch like that, so he was on hand with his strapping boys, and with the help of a few other real friends the great mill was raised, the smoothest raising ever known, and free from the accidents that often occurred by reason of someone's intoxication." When only a lad, General Williston was present at the raising of a sawmill on the island, close to the boat landing, an enterprise of J. C. Brockway, and built by one of the Spaldings. As soon as the frame was up, *following the custom of the times*, a man climbed to the peak of the rafters with a jug of whiskey wherewith to christen the building. First taking a pull from the jug, as was his privilege, he dashed it to the ground below, calling out: "Spalding's Gain and Brockway's Ruin;" the name proving prophetic, as the mill scarcely sawed a stick, and was left to decay or destruction by the floods. General Williston accumulated wealth, but very much of it was lost to his family because of his friendly habit of indorsing large notes for various men, which he was obliged to meet, thus involving him in disaster from his own unselfishness. The house built and long occupied by him still stands opposite the old Williston homestead. After his death, his family removed from Athens. It is a source of regret to all who have known them, that none of Judge Williston's family are to-day residents of Athens.

Sometime during this decade (1830-1840) there came another enterprising young man, who assisted largely in the development of Athens, Chauncey N. Shipman,¹⁵ first associated with Lemuel Ellsworth in the brick stores already mentioned, as general merchant. He married Helen, the daughter of Judge Herrick and Celestia Hopkins. Judge Herrick gave his daughter a lot, called "a fine piece of woods," adjoining the brick stores, for a home, but she died in 1839. Soon afterwards Mr. Shipman purchased an adjoining lot of Judge Herrick and cleared both of trees, thus making a fine property. September 27, 1841, he married again, Nancy Louise Goodrich, who with her mother, brother and sister had come to Athens from Owego in 1832.¹⁶

¹⁵ Chauncey N. Shipman, son of Samuel Shipman of New Britain, Conn., was born at Cooperstown, N. Y. His progenitor was Edward S. Shipman of Nottinghamshire, England, who came to America in 1639. Mr. Shipman had five children b. in Athens: by first wife, Helen (m. Peter Field); by second wife, Mary (m. Samuel Howe), Frederick, John and Florence, all unmarried, and living in Chicago, where the family removed in 1859.

¹⁶ No women of lovelier character than Nancy Louise and Sarah Goodrich ever lived in Athens, and to this were added charms of person. Mrs. Chauncey Shipman was known a few years later as "the most beautiful woman in Athens, as well as the loveliest," and the writer is proud to record that she bears the name of "Louise Shipman" from this gracious lady.

Mr. Shipman now began the erection of the fine colonial residence which stands to-day almost unaltered.¹⁷ The house being completed, the young couple gave a royal "house-warming," the first social function of the sort known to the town. Many invitations were issued, in and out of town, to a "Reception, June 14, 1843." A large number attended, an orchestra was provided, music and dancing being a feature of this gala occasion. The festivity, how-



CLOVER CROFT

Erected by Chauncey N. Shipman, 1841

ever, was marred by a sad occurrence, Mr. Scott, of Towanda, being stricken with apoplexy while standing quietly looking on. He was quickly carried to the Exchange and restoratives administered, but he died within a few hours, casting a gloom over the community. When Mr. Shipman left Athens, in 1859, this house was sold to Charles F. Welles Jr. It was occupied for several years by his cousin and partner, Henry S. Welles. It was then purchased by Harris W. Patrick, who occupied it for many years. After his removal it was rented or vacant until it became the property of Susan Perkins (McCurdy), who did much to beautify the house and grounds and gave to it the name it now bears.

Many others settled in Athens between 1830 and 1840. Chester Park, more fully mentioned in a later chapter, came from Sheshequin in 1835, and began the mercantile business carried on by himself and his son for over fifty years. It was said of him, "a man as near sinless as any in the community," a just tribute. He and his wife (Lemira, daughter of Jabez Fish) raised a family of five children, all well known in the community; Harriet, Dana,¹⁸ Horace, Lemira and Mary. Lemira, married to Charles Chapin Tracy, has been a devoted missionary for over forty years. Both Chester Park and his son Dana held many town offices. They left their impress upon the life of the community, and a goodly heritage of right living to their descendants.

Another merchant of this period was Horace Carner, son of Silas Carner of Sheshequin. He had purchased a home from the Leray tract in

¹⁷ Known to modern Athenians as "Clover Croft," the home of Hon. O. D. Kinney. It seems not amiss to record that the present owner, when a small boy attending the Athens Academy and boarding at the Exchange, chose this house as the ideal castle of his dreams, and thought its owner the handsomest man in Athens. Haunting memories of these ideals were never absent, until he realized his air-castles, as do few, in the purchase of the old Shipman home in 1905.

¹⁸ Dana F. Park, b. Jan., 1836, m. Oct., 1855, Kate, dau. of Rev. Henry Ball, a beautiful woman and accomplished musician, still well remembered. They had one son, Irving K. Park, now resident in Athens. Mrs. Park d. 1859, and some years later Dana m. Lydia M., dau. of Horace Carner, a bright and talented woman. They had three sons; William K., Robert B. and Charles D.; only the third survives, now resident in New York City.

Litchfield, but at this time settled in Athens and began business at the corner of Elm and Main Streets, where later was erected the building, with a commodious hall, long known as "Carner's Hall," around which circle many pleasant memories. "Deacon" Carner and his wife, Azuba Atkins, were active Christians, highly esteemed by all who knew them. Their children were: Lydia, Sarah, Julia, Horace and Henrietta, of whom only Julia now survives. The Karners were originally of German origin; the first known ancestor was Lodowick, of Rhinebeck, N. Y., who moved to Sheffield, Mass., in 1730. His grandsons (by son Jacob) Lodowick and Silas settled at Sheshequin as early as 1800; Lodowick was the father of Luther, who m. Wealthy Spalding; their son Henry resides in Athens to-day. Silas m. Lydia Morgan and had Orson, Amanda, Horace, Sophia, Jay and Silas, whose descendants are well known hereabouts.

Athens and the surrounding country were greatly encouraged over their prospects at the opening of the decade 1840-1850. The North Branch Canal seemed to be nearing completion, and the Erie railroad, the first in this locality, was well under way. While they are to-day unknown, it is evident that outside capitalists were interested in this locality and the favorable outlook possible if a route was opened to the north from the coal fields of Pennsylvania. Although to be more fully treated in a later chapter, it is appropriate here to introduce both the project and the projector, Charles B. Stuart. This young man came as the engineer of the Erie road in this section; and while his residence here was comparatively brief, he was an energetic and enthusiastic worker along all lines, and was generally successful. From the winning of a bride still in the school room to the building of a church representing his own faith, he stopped at nothing, generally with the benefit of the community in view. No doubt it was under his supervision that the first newspaper ever published at Athens was started. It was called "*The Athens Scribe and Advocate of New York and Pennsylvania Improvements*," first issued in August, 1841, the editor being O. N. Worden, a son-in-law of Dr. Huston. The first number contained a long article from the *New York Courier and Inquirer* of July 21, headed "Tioga Point Railroad—Important Improvements—Coal and Iron—Project for a Short Railroad at Tioga Point to connect the North Branch canal and the Erie railroad." The article stated that a charter had already been obtained to build this road only four miles long, the route was surveyed, requisite plans and maps made, and cost estimated at \$50,000. Apparently the capitalists did not "catch on."

The editor of the *Scribe* added a few words, praising "the uncommon natural advantages of the Point," saying that it was destined to be the great natural highway for coal and iron, and return trade in salt and gypsum, and that no rival could successfully compete with it. The *New York Courier* represented Tioga Point as "situated at the opening of the valley of Wyoming, at the confluence of the Chemung and Susquehanna Rivers," and mentioned Athens as a flourishing village situated at the Point.

Great effort was now made to boom the town, and as the story is only known to-day from the complete file of the *Scribe*, now in Tioga Point Museum, quotations from it will be freely used; yet it tells little, for there was no local column, and one must piece together the stray bits. Doubtless the following article is from the able pen of Major Stuart, who, having married Frances, daughter of Henry Welles, was now living with his young wife in the house still standing, called the "Peach Blow Cottage," being painted pink. Major Stuart feeling himself a citizen, now appeals to the pride of the people as follows:

"Athens! the very name is classic, and all the witchery of winding stream, extended plain, and towering mountain makes its situation picturesque, romantic. But—Athens is not all poetry and moonshine. It begins to have attractions for those of the pure utilitarian school, and to be a place of business. Buildings are rapidly springing up, and this is favorable, for each elegant building now erected in this village is so much added to general stock in which every Athenian has an interest. As business and elegance of appearance increase, property will rise in value. But there is one thing especially wanting at present to which we wish to call attention. It is the erection of a boarding house. Those who have any interest in the *Academy* will at once see the necessity of this step. A literary institution besides raising the standard of literary taste, is a source of pecuniary profit to every village—but the impression has prevailed that board is obtained here with difficulty—parents will never place boys in a public house.—Let a commodious house be erected accommodating 50, a man of taste and energy manage it, and we would warrant it soon filled, and the cash that such an establishment would bring is worthy of attention. 50 permanent scholars from abroad would bring in more than \$6000, which through the Boarding House would pass directly to grocers, merchants and farmers of the vicinity. Others beside students of the Academy require a boarding house. Shall it be erected? Some are building to rent, why not continue in well-doing. We will say no more. A word to the enterprising is sufficient."

S * * * er, Dec 29, 1841.

Strange to say, the above appeal, printed in the *Scribe*, passed unheeded for awhile, and soon after the old Academy burned.

Just previous to this an article, purporting to be from a visitor in town, mentions the fine brick mansion of Mr. Shipman in course of erection, the canal dam, and the projected bridge across the Susquehanna. Naturally, real estate was expected to be in great demand. In an early number of the *Scribe* was a long advertisement setting forth the desirability of "One hundred valuable building lots belonging to the estate of the late Gen. Henry Welles in central part of the flourishing village of Athens * * * eligible locations for stores or shops. To such as will erect buildings liberal arrangements will be made * * *." A few months later a little different railroad project seems to be on, evidently a road to extend to Cayuga Lake. Judge Herrick is our only informant in an advertisement, as follows:

"For sale, 500 valuable building lots on pool of dam of Chemung river—at the head of navigation of North Branch Canal, and at the termination of the Athens and Ithaca R. R. which will intersect the Erie four miles north of this borough. The lots are generally large enough for house and store or shop, and to those that will build a credit of ten years will be given if desired."

Judge Herrick at this time had purchased the property long known as the Herrick Plot. It may be noted that the Erie railroad was long in completion, the canal not opened until 1856, and the Athens and Ithaca road built in 1871. But the Canal Boom was on; for very soon



PATRICK'S BLOCK, 1841

John Spalding 2nd advertised 225 acres for building lots on the west side of pool of the dam, terms similar to Judge Herrick's. Their hopes, however, were blasted, for in February, 1842, "a terrible flood, the worst since 1807," seriously injured the new canal bed. The following spring, after the burning of the old Academy, there appeared a series of "Home Talks by Qui" (evidently Major Stuart), having not only the rebuilding of the Academy, but the town's interests at heart. Plans prepared by Engineer Stuart for an Academy on an enlarged scale, built of brick, and having a Town Hall in the basement, were now on exhibition. "Qui" was strong for the Hall, anticipating "the interests of a densely populated valley." He urged the inhabitants of the *township* as well as the *town* to examine plans and manifest their interest by building an Academy that would excel anything in Towanda, Owego or Elmira. But this air castle fell, like some others proposed; the plans were discarded as too expensive, and the Town Hall and the Model Boarding House were still only dreams. However, the latter materialized in the "Mansion House," built the next year on the site of the old Red Tavern by Elias S. Matthewson. And the building boom surely arrived, for in October, 1842, in an article headed "Good for Sore Eyes," Editor Worden thus tells the story of improvement:

"Yesterday a block of NINE DWELLING HOUSES was raised on Chemung Street, on the property of Williston and Patrick. At the end of the row may be seen the spire of nearly completed Episcopal Chapel. Opposite the Eagle Bldg. is the large and elegant new block of stores recently completed. And besides many buildings improved there are TEN OR TWELVE new dwelling houses erected within the year. We hope this spirit of enterprise may steadily continue on."

December 14 chronicles:

"'Extensive Crash.' A heavy snow storm proved too great a weight for the roofs of the NINE DWELLINGS which fell in with a tremendous crash."

It was well the accident occurred before the houses were occupied. Doubtless they were completed in more substantial fashion.



THE HAYDEN HOMESTEAD

These "nine dwelling houses" composed the famous "Barracks Row" on Chemung Street, later called the Catch-All; and be it noted that we have no record of the opening of Chemung Street. The first mention of it is in an early number of the *Scribe*, which tells that General Williston has just erected a building (1841) on the north corner of Main and Chemung, called the Eagle Building, and occupied by G. A. Perkins with a new stock of drugs and dry goods. This building was on the corner of present property of S. R. Payne, and was occupied by stores, law offices, etc., until very recent years. Barracks Row was a curious arrangement of houses in twins at the bottom, with alleys between, and continuous in the second story; according to traditions it made a most curious appearance. The elegant block of stores was the first "brick block," shown in the accompanying illustration, as also is the Eagle Building. Most of these buildings seemed to have been erected by Gen. Williston and H. W. Patrick, a young man who came to town in 1836 as preceptor in Academy. He purchased a large block of the Carroll lands, which he sold to the Irish laborers who had come to engage in constructing the canal and the Erie Railroad. From this he made a handsome profit, which he used largely in erecting buildings. He also erected on South Main Street the house now occupied by Mrs. E. H. Perkins (1908), and made his residence there. There were many new industries now in the town, as shown in the business advertisements in the *Scribe*. Several tailors: Moses Sawyer (later of Waverly), Stephen Goodrich from Owego, Aaron Tibbitts and Geo. Wheeler; Jake Harder the gunsmith; H. C. Gallop, first hardware merchant; Dick Durlin, first livery stable; the Misses Dewitt and Showers, first milliners, "Main Street and Public Square" (this was in the Hollenback store, utilized for this purpose for many years, as the ladies were succeeded by Matilda Smith); Rob. McGeorge, the first baker; Ezra Pelton, first cabinet maker; Sidney Hayden,¹⁹ who

¹⁹ Sidney Hayden, b. March 1, 1813, at Colebrook, Conn., son of Luke Hayden and Ruth Humphrey, both Connecticut people, was descended from William Hayden, who came from

first manufactured brick here, and was a large contractor and builder throughout the county; his own residence, erected in 1840, being a fine specimen of work done under his supervision, and one of the most interesting old homesteads now standing.

About this time (1840) many new people came in, whose descendants are here or well known here to-day: John E. Canfield from Orange County, who spent the rest of his life here, as did his only son, Clarence. Mr. Canfield was a lawyer and insurance agent, as was also his brother-in-law, Joseph B. Reeves; and both were long identified with the town as men of ability and integrity. William Shapley, a famous clock maker and jeweler, came about this time, and his daughter, Mrs. Frank Gillette, still resides on his homestead purchase on South Main Street. Frederick R. Lyon, a Connecticut man, a cabinet maker by trade, who still has descendants in the valley, came at this time. There are many beautiful specimens of the handiwork of Mr. Lyon still in existence.

A previous cabinet maker was Horatio T. McGeorge, who located here about 1830. He was an expert carpenter, his specialty being church building. He evidently came here to build the first Presbyterian Church. He was twice married; by first wife had Henry and Leslie; then married Rebecca, daughter of Daniel McDuffee, a beautiful woman, mother of Frank and Eliza, well known, though no longer resident at Athens. Mr. McGeorge was a fine musician and long played the organ and bass viol in the Presbyterian church, just north of which



REBECCA MCDUFFEE (MCGEORGE)

he had a house and shop for twenty years; later he lived and died on Paine Street, having become entirely blind. His daughter Eliza married Rev. William French, at one time teacher in the Academy, who later, for long years, did a wonderful missionary work on Blackwell's Island, gaining the well-deserved name of "Angel of the Island." His labors were shared by his wife, who still continues them. Mr. French, while at Athens, was largely instrumental in establishing Trinity Church.

And now all eyes were on Athens, and even Towanda takes up the theme. In February, 1843, the *Bradford Porter* gave a most flattering account, copied by the *Scribe*:

England in 1630 and settled at Dorchester, Mass. Sidney Hayden m. Florilla E. Miller of Torrington, Conn. Had five children; Julius, Sidney, Charles, Albert and Ruth. Of these, Charles and Albert survive, the latter having his residence in the old homestead; m. Ruth Lester and has two sons. Sidney Hayden was a man of great literary ability, an intelligent scientist, an able writer, and collected one of the most valuable libraries in the region. He was deeply interested in the progress of the community, a great antiquarian, and a famous Mason.

"Athens, more familiarly known as Tioga Point, is one of the most delightful spots on the Susquehanna if not the most so. We would not dare to compare it with Wilkesbarre, such is the celebrity of that place without a personal knowledge of their respective claims. But this knowledge we have, *and without hesitation we give Athens the preference.* The charms of Nature are lavished upon it," etc., etc., ad infinitum. After speaking of the new buildings, the *Porter* continues to praise Athens as a place of greatly increasing business and remarkably enterprising citizens. Mentioning the canal, the Erie road and the expected local railroad; it closes by saying: "Athens has nothing to fear and much to hope for, but whatever may be her fate commercially, the habiliments with which nature has adorned her can never be taken away." In a subsequent article the same paper says: "Athens has the prettiest girls in the world and we may say the same of the married ladies." "Hurrah for Towanda, and the *Porter*!" says Editor Worden. It is mentioned that "*the name Tioga Point is frequently used to designate the whole valley above river junction, including Athens, Milltown, Factoryville and Villemont*" (a new town, later Waverly).

It will thus be seen that Tioga Point is the proper name to be applied to the whole "City of the Plains."

The canal having had a set-back, not only from the flood, but from the state's decision to sell some public works at auction, the backers of the *Scribe* called an "Improvement Meeting," at which it was proposed that the northern counties become responsible for the canal, as a result of which the Legislature agreed to turn it over on certain conditions. As to Athens improvements, we have neglected to mention that in the first issue of the *Scribe* an appeal was made "to the 2500 Whigs of Bradford County to assist in the erection of the new Susquehanna bridge," doubtless by "Scotch Thompson."

Major Stuart was interested in the intellectual as well as the material development of the town, and it was said to be due to his energy and enthusiasm that so many societies were organized at this period. While this may be true, unquestionably Sidney Hayden's influence was quite as active. "Old Tioga Point" was far more cultured than the Athens of to-day, especially under the influence of David Paine. But we venture to assert that culture in this valley was at its height in "Early Athens," and the notices in the *Scribe* are the evidence incontrovertible; to wit:

"The young men of Athens are requested to meet to consider forming a debating school" * * * "The Athens Debating Society meets on Saturday evening. Question, Ought the Classics to be excluded from our system of Education?"

"The Athens Literary and Scientific Association [which held weekly meetings] will be addressed by the following gentlemen: Essay, Early Impressions by H. C. Baird—Lecture, Perseverance in Literary Efforts by H. W. Patrick—Essay, Anti-Phrenology by Dr. F. S. Hoyt—Lecture, Practical Botany, J. G. Merchant. Literary and scientific communications of *all kinds*, curiosities, etc., solicited from citizens of Tioga Valley."

"The Ladies and Gentlemen of Athens are respectfully invited to attend at Athens Academy, to take into consideration the propriety of forming a Geological Society. Remarks upon the utility of science may be expected."

This society also was organized, with Charles Comstock as leader, constitution adopted, meetings frequent, and many lectures delivered by Sidney Hayden, Dr. Corss and others; although there is no record that they gave serious consideration to the geological wonders of the region roundabout. However, the men of Athens of to-day, especially

the descendants of these cultured people, may well pause to consider the time given by these busy town makers, even the farmers and mechanics, to intellectual pursuits. Nor was this all. The wave of temperance, under the auspices of the Washingtonian Society, at this time spread over the country, and reached Athens at an early day. January 13, 1842, the Athens Total Abstinence Society was organized, with Charles Comstock as president; a great temperance convention was held here in March, 1842; July 4th a Temperance tea-party was held at Sheshequin, and July, 1843, a regular branch of the National Society was organized as the "Athens Washingtonian Society," Richard Durbin, president; James Fritcher, secretary.

December, 1843, Guy Tozer, Sidney Hayden and Orson Rickey called a meeting and organized the "Tioga Valley Agricultural and Mechanical Association," which held its first meeting in the new Episcopal chapel February 6, 1844. Speaking of the elections in 1842, the *Scribe* said:

"Not more than 46 years ago the now county of Bradford was almost a wilderness. The townships now called Sheshequin, Ulster, Smithfield, Springfield and Columbia formed but one district with 124 voters, 36 of whom were old soldiers, only two of whom now survive; Zephon Flower and Benjamin Brink.

Attracted by the flattering prospects, a self-taught portrait painter, N. B. Kittel, opened a studio in Athens in 1842; his work was given unstinted praise in the *Scribe*, but now known to us only in the excellent portrait of Mrs. Elisha Satterlee, which has been reproduced for this volume. This leads us to mention a talented artist, S. A. Mount, who spent some time in Athens about 1830 to 1832. He was permitted to use a room in the Academy for his studio, and many excellent examples of his work exist. Those reproduced are Henry Welles, G. A. Perkins and wife, E. H. Perkins and Mrs. McGeorge.

A very active political party in Athens in 1842 was called the "Workies." They felt called upon to suggest "Practical Reforms for Pennsylvanians" and held a meeting December 3, at which a petition was drawn up, addressed to the Senate and House of Representatives, which it was resolved should be circulated throughout the State. This party was in opposition to the Whigs, and at a later date the name of *Scribe* was changed to "*Athens Democrat and Workingman's Friend*," and in the campaign of 1844 was the organ of the Workies. The paper records an enthusiastic celebration of Independence Day, 1843:

"Just on the eve of this day, three or four young men resolved to observe it, despite the croakers and bolters. The Presbyterian house was well filled by an intelligent and highly respectable congregation of ladies, youths and farmers. Rev. Mr. Corss made an opening prayer, O. N. Worden gave an address; the Declaration of Independence was prefaced by some elegant remarks, and read by Sidney Hayden. Extracts from Washington's Farewell Address were read by E. H. Perkins * * * the exercises were interspersed with excellent singing under direction of Mr. Wheeler. ¹¹²⁰Let it be understood that hereafter the Fourth will not be forgotten in Athens.

¹¹²⁰ Thanksgiving, as well as the Fourth, was properly celebrated this year, for besides the notice of service in the *Scribe*, a letter still exists addressed to Rev. C. Thurston: "Dear Sir, The undersigned highly approving of a proper observance of the day appointed by the executive for public thanksgiving, etc., Most respectfully request that you favor the citizens of Athens and vicinity with a suitable discourse on that day at the Presbyterian Church in this village, and sincerely hope it will be compatible with your sense of duty and feelings to comply with their

The *Scribe* of June, 1842, contained the following concerning a most celebrated man of that time:

"A recent copy of this paper containing a notice²¹ of the re-election of Joshua R. Giddings met the eye of that gentleman, and he wrote to the editor thanking him and adding:

"But your notice was peculiarly interesting to myself, as it comes from the place of my *nativity*. Of this fact, I presume neither you nor any other resident of your village was aware. It is now nearly half a century, since a family consisting of a father, mother and four children, arrived, and for a while took up their residence at Tioga Point. They were from Connecticut, and were looking for a home in the then newly settled region of your valley or of New York. They arrived in the month of February, and departed, in November following, for the town of Canandaigua, at that time an infant settlement in Ontario County, in the State of New York. While at your place 'the Yankee family' received an increase of its number by the birth of a son. Soon as the little stranger was supposed to have acquired strength sufficient for traveling, they set out on their journey for their newly selected home. That son now addresses you. I have not the least recollection of your pleasant valley, and for the above facts am indebted to the often repeated relation of my parents. I presume there is not a person living in Athens at this time who has the least recollection of the stranger family who resided there some seven months in the year 1795. I recollect hearing my parents mention the name of Loomis in connection with their residence at your place. I think he was a landholder, and a man of some wealth.—I have a curiosity to visit the place of my infancy, but whether I shall ever find it convenient is quite uncertain.



J. R. Giddings

"With great respect, your ob't sert.

"J. R. GIDDINGS."

"It is hardly probable that in the tide of emigration pouring through this Valley to the Lake country at the time referred to, Mr. Giddings' family should be separated from the others and remembered by any now among us.

"Mr. Giddings will excuse me if I make some additions to the history of his life thus singularly commenced. His father removed to the Western Reserve in Ohio, where the son has since resided and there has lived to see it physically and

request. We are with sentiments of respect, Yours truly, H. C. Baird, O. N. Worden, H. W. Patrick, C. H. Herrick, F. S. Hoyt, J. K. Wright, G. O. Welles, H. C. Gallup, M. Sawyer, C. Comstock, D. T. Van, O. D. Satterlee, C. S. Park, H. Stanley Comstock, R. Durbin, N. C. Harris, E. H. Perkins, L. S. Ellsworth, O. O. Shipman, G. A. Perkins." These names are given in full as showing the general interest in the national fast and feast day by the active business men of Athens.

²¹ The notice referred to was published in the *Scribe* of May 11, 1842, as follows: "Joshua R. Giddings, whom Congress in a fit of passion attempted to disgrace for declaring in a manly way the sentiments of a freeman on a great National question (slavery), has been re-elected by the triumphant majority of over 3500. His opponents did not name a candidate until a few days before election, and the vote was light—sufficient however to satisfy the tyrants who would put Northern freemen on a par with their slaves—Mr. G. in Congress again will doubtless represent the resolutions for which he was censured,—and if the Representatives of the *Free States* do not stand by their fellow in his right to offer his opinion on a legitimate subject, they deserve to be made what some of the South call them—white slaves."

The Giddings family came up the river in a boat, and landed, as many others had done, on Queen Esther's Flats. Finding the log cabin of Uriah Stephens, which harbored so many pioneers, once more vacant, they took possession. These flats were then claimed by Wright Loomis, who came to this locality in 1792, and had a home nearby.

morally 'bud and blossom as the rose.' In the last War, Joshua R., then a lad of 16 or 17, buckled on the armor of his Revolutionary sire, and stepped into the ranks of his country's defenders under the command of General Harrison. He cheerfully completed his long term of service. Returning among the hardy sons of New England, he 'grew with their growth and strengthened with their strength'—and upon the retiring of the well known ELISHA WHITTLESEY, 'the poor man's friend,' from Congress, Mr. G. was chosen to fill his place by a majority probably greater than ever given to a Representative in the National Legislature. He was appointed Chairman of the Committee on Claims—as laborious and important a committee as is created—and in every respect stands forth one of nature's noblemen.²²

"However we might disagree in some respects, the citizens of this place would cordially welcome their distinguished son, who now represents the flower of young New England, supported by majorities varying according to the fulness of the vote from 3000 to 6000. It would be but little out of his way for Mr. Giddings to pass through Athens on his way home, and he could not fail of being gratified with the delightful scenery which abounds where he first opened his eyes to the light of heaven."

Mr. Giddings did visit Athens; the late Jesse Spalding told the writer it was one of the proudest days of his life when he, a very young man, was sent to Waverly to meet him. While there are no positive records known to the writer of the date, he seems to have made two visits. When the late Edward Herrick, Jr., became interested in local history, he wrote inviting Mr. Giddings to visit his birthplace. At this time he was entertained in the house of Col. C. F. Welles. Mr. Herrick and some other citizens drove down to Queen Esther's Flats with him; after which a meeting was held in "Patrick's Hall," in the "Brick Block." The illustrious man spoke, and C. L. Ward and A. H. Spalding responded. We regret that there is no recorded account of these visits. The portrait here reproduced was obtained from his own relatives for this volume by courtesy of one who had been a resident of Giddings's home town in the Western Reserve. One has but to look at it to recognize a fit champion of a down-trodden people, for love of humanity is written on his face. The school children should be taught to reverence this great man and to have a pride in the place of his nativity.

The story of Early Athens, as told in the *Scribe*, may, perhaps, be fitly closed by a group of amusing and interesting advertisements. The object of the following, unfortunately, is not stated, but it may be ob-

²² Joshua Giddings was elected to Congress in 1838, and had no more than taken his seat when he became prominent as an abolitionist, and was ever after active in the cause of the abolition of slavery. In 1842 he offered a series of resolutions in the House against slavery, which created such a disturbance that he withdrew them and resigned his seat. Undoubtedly it was in connection with these events that the *Scribe* took up the cudgels in his defence. He was a very tall, vigorous man, and somewhat feared by his opponents. When he made his great speech in Congress he was challenged to fight a duel by one of the champions of slavery. He replied, in accepting the challenge, that "the time is *now*, and the weapons those that God Almighty has given me."

His activity as a defendant of anti-slavery principles was as great in the days of the Civil War as in the forties. At the time of Lincoln's nomination he made a determined effort to have the Declaration of Independence mentioned in the platform of the Republican party. "*All men free and equal*" was his motto. In what was called the Wigwam Convention of 1860 he was a conspicuous figure. Hay and Nicolay, in the "Life of Lincoln," mention him as one of those greeted with spontaneous applause. In *McClure's Magazine*, for February, 1907, is a fine portrait of the venerable man, of whom Carl Schurz says: "Everybody knew him as one of the veteran champions of the anti-slavery cause for which he had pleaded with undaunted courage and fidelity when no one could do so without danger. It was the religion of his life."

served that the somewhat obnoxious word "Saloon" in this case means the ball room of the Exchange Hotel:

"An entertainment will be given by the Ladies of Athens Tuesday Aug. 10, 1841 at Mr Park's Saloon. The citizens are respectfully invited to attend."

"Aug. 31 SOIRÉE MUSICALE. Mr. and Mrs. J. M. White from the Boston and New York Concerts will give a soirée musicale this evening at the Exchange Hotel. A pleasing variety of styles of singing will be introduced, accompanied on Spanish Guitar. Admission 25 cts."

"Romance and Reality

"Married Monday 8 inst by C. H. Herrick Esq., Henry Simson and Charity Fox. Caution.—The public are hereby cautioned against harboring or trusting my wife lately Charity Fox, as she refuses to live with me, and I will pay no debts of her contracting. Henry Simson Aug. 12."

"The Hunters of Bradford

"Eleven deer have recently been killed within four or five miles of Athens. Deer killing *is an every day occurrence* in this vicinity, but bear killing is more of a rarity. However last Thursday Nov 8, 1843 a moderate sized Bruin started from the Plains to cross the Chemung for the West Mountain just above the Athens Borough line. He was headed off in the river and after ducking a dog several times was driven ashore on Mr. Tyler's farm, and literally mauled to death."

(This was probably the last bear seen within the borough limits.)

"Curiosity

"We were yesterday shown a musket ball, just taken from a pine tree in Sheshequin by a shingle shaver. It appears to have been shot at a mark, as the place had evidently been scored with an axe. Above all this 70 outside rings were counted; it appears evident the ball was shot 90 or 100 years ago, how or by whom fancy can best conjecture. 1843."

"Hat and Cap Store. A. Dodd. Shingles, lumber and most kinds of produce taken in payment, *Cash not refused.*"

"Taken! from the Presbyterian Meeting House a black cotton CLOVE. The person will return it to this office, and receive owner's thanks, or call and get the mate to it. Either way will do."

"Wanted, to rent a *slip in the meeting house* near the pulpit."

"The Athens Band! When shall we again hear its soul-enlivening strains? Our long pleasant evenings are coming again; can ye not take your harps from the willow, and make our loved valley vocal with living song again? Ye have done well, would that ye should continue! The blessings of old and young, gentle and strong will rest upon ye, if ye will revive those

'Old familiar strains

That ravished once our ear.'

Tune up, tune up, gentlemen, and by the sweet influences of heavenly music will ye once more add to our musical enjoyment.

"Athens May 1842

"Melodia."

We are somewhat in ignorance as to this band; it may not be amiss to record some later ones. In 1847 there was an Athens Band, of which it is written:

"Ed Kendall was a key bugle player, W. H. Shapley a trombone, James Tuttle clarionet, some one else a bass instrument called an opheclide. The next was Stone's Band in operation in 1856, Jabez Stone, the boat builder, was the leader and played a snare drum, and the music of this band was highly praised. Tom Perry of Litchfield was a great Bass drummer and there were several others around the country that secured us martial music for the Fourth and other occasions.—C. T. H."

November 15, 1843, a large advertisement appeared in the *Scribe* as follows: "New Firm and New Goods.—C. F. Welles Jr., and O. D. Satterlee. Ready Pay System." Orrin Day Satterlee was the son of John F. Satterlee, and was born and brought up in Athens; later a prominent citizen of Lockhaven. Charles Frederick Welles²³ was the son of



C. F. Welles Jr.

C. F. Welles, and most of his life had been spent in Wyalusing; the rest was spent in Athens, to whose interests he ever devoted his time, strength, energy and means. The two young men opened their store in a new building, north of the "Athens Hotel," as the old Irwin house was now called. This building, well shown in the picture of the village street, taken a few years later, was erected by the indefatigable H. W. Patrick, certainly well named by a contemporary, who recently wrote to us saying: "Lawyer Patrick was quite a Town Builder and rented large numbers of buildings." He seems to have converted all his available means into town

improvements at this time. Welles and Satterlee did a thriving business, adding lumbering to their mercantile efforts, and laying the foundation of their fortunes.

Besides all these noted improvements, in 1841 the bridge over the Susquehanna River was completed, and Satterlee's Ferry, after *fifty years of use*, was abandoned. (Further information in Chap. XX.)



EAST SIDE MAIN STREET, 1845

- 1, Chester Park's Store; 2, Guy Tozer's Store; 3, Patrick's Frame Block;
4, Irwin's Tavern, or Pike's Hotel; 5, The Mansion House.

²³ "Charles Frederick Welles, the son of Charles Fisher Welles, was born May 25, 1812. He is generally known as C. F. Welles Jr., or Colonel Welles, from his militia title. Having obtained a slight education in the common schools, he early evinced an aptitude for business, and was

At that time "Herrick's Meadow" was full of "red brush," and there was a so-called "brush road" through it, leading to Satterlee's Ferry, or perhaps it should be said, Satterlee's "still." Deer often wandered into this brush, and the last one shot in the village was discovered there.

Soon after the completion of the bridge, Thomas R. Davies, who had built his residence about ten years before on the site of present Stimson House, was urged to open a temperance hotel, convenient to the bridge. He, therefore, enlarged his house to three times the original size, and opened "the Davies Coffee House," a most commendable



soon known as an industrious, energetic, honest young man. His first ventures were in the lumber trade, running the river himself. Always bold in his ventures he was successful as well, and by 1835 had amassed sufficient capital to start a country store near Asylum. Having good fortune, he later established stores along the line of construction of the North Branch Canal, and in 1843 established, with O. D. Satterlee, a store at Athens. C. W. Clapp and N. C. Harris were his first clerks, and later Mr. Harris became his partner in place of Satterlee, and in large land purchases in and about town. About 1850 he relinquished trade to devote entire attention to large and lucrative operations in public works and construction of great improvements. In this business he was, for some years, associated with his cousin, H. S. Welles. They constructed the Brooklyn waterworks at a cost of \$5,000,000, and contracted for building of many railroads in both North and South." In 1857 he purchased a half interest in a great lumber tract in Northern Michigan. He soon valued this interest at \$275,000, but was fraudulently deprived of it by an associate, a blow from which he never recovered. In 1859 he bought the entire North Branch Canal, organized a company, and shipped the first Wyoming coal to Chicago and the West, thus inaugurating a trade of present great dimensions. But his main object in gaining control of the canal was to carry out the great ambition of his life, a railroad along the Susquehanna Valley, which should form a continuous line from Wyoming coal fields to the Great Lakes. This was accomplished in a great part as the result of his own labors. For, having interested capitalists, he was himself contractor for the extension of the Leligh Valley road from Pittston Junction to New York State Line. It was the writer's good fortune to accompany him in the first train that ran over the line for inspection of construction. The country people had congregated at every station to see the train, and "the Colonel" was overwhelmed not only with thanks, but many tears, for his efforts to develop the country. In this venture he sunk his entire fortune, but left to those who knew him an enduring monument to his name. In connection with these great enterprises it has been said: "He evinced boldness, foresight and confidence in the ability to achieve not often possessed by one man. He had a marvellously quick conception, a thorough knowledge of finance and industrial subjects, great faculty for organization and control; and an uncommon power of impressing his convictions on others." He stopped at nothing in his proposed improvements, visiting not only legislative halls of various States, but the President himself. It has also been said of him that no man ever lived in Athens who was so full of public spirit; "his benevolence and desire for the welfare and advancement of the town were unsurpassed." It was his intention to make Athens a great railroad center, and doubtless had he lived it would have been accomplished. But such continuous mental exertion shattered his constitution, and he died when only sixty years of age. His kind and genial temperament made his home beloved by all who frequented it, and he was "father" to many a youth and girl now scattered the world over. He married Elizabeth Laporte, a descendant of the French Refugees at Asylum, and their children, all born in Athens, who grew to maturity, were Frederick, Eleanor, John, Louise, Robert, Elizabeth and Jessie.

temperance enterprise, which seems to have prospered. At this time Mr. Davies was justice of the peace, having been commissioned in 1840: and he built a small office on the opposite corner of the new street, making the way to town well guarded by Temperance and Justice. This hotel was later known as the American House, and is still standing, having been moved to the east end of original lot. As may be easily seen in the picture herewith, the north end was the old family residence.

In 1844 Cornelius Hunsiker came to Athens from Cayuga County, N. Y., and was a resident of the borough until his death in December, 1907. He was a son of Jacob Hunsiker and grandson of Jacob, Sr., the original emigrant. The family are of Swiss origin, the name having never been changed. Mr. Hunsiker was a practical lumberman and told many interesting stories of the days when most men run the river. As he amassed means, he purchased several lots in lower part of village, among them that now occupied by H. C. Smith, with an unfinished house thereon, commenced by the lawyer, J. C. Stevens, who resided here a few years. Having completed the house, he returned to New York State for his bride, Miss Mary Horton. They were married in March, 1852. Of their children only two grew to maturity, Millard, now resident in London, England, and Miss Mary, of Athens. Some members of the Horton family have also had residence here, and Miss Sarah Horton has long made her home with her sister. The present home of the family is on the site of Secord's and Hollenback's location, the house, built in 1863 by Frederick T. Page. Probably no property in Athens has had so few owners as this, there having been only three transfers in 122 years. Mr. Hunsiker retired from active business some years before his death, at which time he was the oldest citizen of Athens. He filled the position of Burgess acceptably, and was always deeply interested in the town's advancement.

The political campaign of 1844 was a very lively one in the whole country, and Bradford County was not asleep. Previous to the nomination Henry Clay was a popular candidate, and "Clay Clubs" were organized everywhere. Athens was not behind in this movement, as seen by the following notice in the Bradford *Argus* of February 17, 1844:

"At a meeting of the citizens of Athens and the adjacent townships, convened at the Exchange, in the Boro of Athens, on the 10th inst., for the purpose of taking into consideration the propriety of and adopting measures preparatory to the organization of a Clay Club, on the 22d following.

"On motion, CAPT. NATHANIEL FLOWER, was called to the chair, and H. Tyler was made secretary.

"Resolved, That the chair appoint a Committee consisting of five, to prepare a Constitution for the said club, and to present the same at the time appointed for its organization.

"The chair then named the following gentlemen as said committee: Maj. C. B. Stuart, H. Tyler, Jas. H. Welles, Jno. F. Satterlee, J. L. N. Shepard.

"Resolved, That a committee of three be appointed, for the purpose of selecting officers for the club, when organized.

"Whereupon, the chairman appointed Gen. H. Williston, E. Wolcott and E. A. Murray a committee for such purpose.

"The meeting was then ably addressed by H. W. Patrick, Esq. and Col. Chas. F. Welles, at the close of which, it was

"Resolved, That this meeting extend a general invitation to the citizens of Bradford Co. to attend at the formation of our Club, on the 22d.

"Resolved, That the proceedings of this meeting be published in the Athens Advocate and Bradford Argus.

"Resolved, That this meeting adjourn to meet at this house on the 22d inst. at one o'clock, P. M.

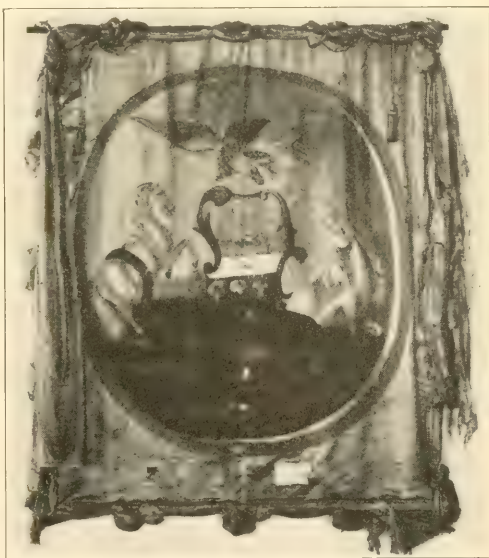
(Signed by the Officers)

"Notice is hereby given that in conformity with the above, a meeting will be held at the Exchange on Thursday, the 22d inst. (Washington's birthday). It is expected that the Hon. J. C. Clark will address the meeting."

Clay was not nominated, therefore we will not pursue the career of this club, but will give an account of the fall campaign as written for us *by one who was there*:

"Early in the autumn of 1844 there was a Democratic meeting in Athens, which exceeded in numbers any political gathering I ever saw in the old town. Crowds came from every direction, on foot, on horseback, and in all kinds of vehicles. However, the meeting was very enthusiastic, and the enthusiasm continued until election. In those days the state and county elections were held in October; the national as now, in November. The October election was hotly contested, and the Democrats were victorious. But efforts were made to increase the Democratic majority of Bradford county at the November election. Among other schemes to accomplish that end was a proposition by the democratic ladies of Towanda to present a silken banner to the town making the greatest increase in its majority from one election to the other. This aroused the Democrats in each town to greater efforts to secure the banner for themselves; and consequently the contest was a hot one. Athens Democrats were successful, and Athens became the 'banner town.'

"A short time after election a day was set on which to make the presentation; and at the time appointed a large crowd had gathered on the Academy green. A delegation of the leading democrats of Towanda came up, bringing the banner. Hon. David Wilmut made an eloquent presentation-speech, and the banner was accepted by Doctor Thomas Huston, who although a good Democrat, became covered with much confusion. In the evening there was a torch-light procession, followed by a celebration over the Presidential election. The jollification was kept up a second day, before the visitors and townspeople were satisfied. The reception of the banner was long remembered and talked of by the participants, who have now 'passed the dark river of death.' Only three or four old men who were then young boys, and whose memory extends back to that time, are left. The old banner survives, and I am pleased to know, is in the possession of good parties, who will treasure it as a relic of bygone days."



The democrats of Athens placed the banner for safe-keeping in the hands of a noted member of their party, Guy Tozer, Sr., by whose family it was guarded for fifty years, and whose son, the late Ralph Tozer, wrote the above account. It now hangs in the Tioga Point Museum, with a portrait of the famous Wilmot attached. We think our readers will vote it a most amazing production. We have been unable to learn the designer, or lady-seamstresses of this work of art.

Athens was visited by Sherman Day, the historian, about this time. His remarks on the town are given from "Historical Collections of Pennsylvania," published in 1843.

"Athens now one of the pleasantest villages in Pennsylvania, extends across an isthmus between the Tioga and Susquehanna rivers about 2 miles above their confluence. Above and below the town, the land widens out into meadows of surpassing fertility. The long main street of the village runs lengthwise of the isthmus and is adorned by delightful residences, and verdant shades and shrubbery. The annexed view exhibits the *northern entrance to the street*. There is an Academy here, and Presbyterian, Methodist and Episcopal churches. * * * On the completion of the North Branch canal, a great increase of trade may be anticipated. Population 435. The whole region around Tioga is highly picturesque. The annexed view²⁴ was taken from the Sheshequin road, immediately overlooking the confluence of the rivers. Directly in front are the broad meadows below Athens, with the town in the distance and the valleys of the two rivers stretching away among the hills of New York. Tioga Point from its geographical position has been noted in the annals of Indian warfare, as the site of an ancient Indian town, and the place of rendezvous for parties or armies passing up or down the two great streams. At the lower end of the village are the remains of an old fort erected during the Indian wars."

It was thus described in the *Gazetteer of the United States* for 1843:

"Athens, formerly called Tioga Point, contains a Presbyterian Church, an Academy, 11 stores, 60 dwellings and 435 inhabitants. The township has two fulling mills, one woolen factory, two grist mills and fourteen sawmills; population 1532."

It seems impossible to note every family in the town at this period. Naturally many mechanics and artisans were attracted, as well as speculators, merchants and plain citizens, on account of the facilities to be obtained by the projected canals and railroads. We have some curiosity about the harnessmaker whose "name was longer than the ten commandments." The pioneers were now passing away, and their children were become the men and women of the community. One who wrote of Main Street at this time for us mentions many names now unknown, as Arnold, Bottom, Totten, Grover, Brockway, etc. Black Betsey, one of the old Backus or Saltmarsh slaves, is mentioned as a noted character; she was the village caterer. The younger generation of Satterlees, Mathewsons, McDuffees, Murrays, Spaldings, Morleys, Snells, Welles and others were active participants in the life of the community. Previous to 1850 there were no buildings but one or two small houses between Paine Street and intersection of Main and Elmira; the land was cleared and cultivated as farm land.

²⁴ The picture of Main Street was copied from a painting then the property of Mr. J. E. Canfield, now of Mrs. C. S. Maurice, by whose kindness the original has been reproduced for this volume. Clovercroft is easily recognizable. Just beyond is the house built by David M. Cook; also Ellsworth's brick block. On the right of the picture is the house now occupied by Mrs. L. M. Park (builder unknown), the old Exchange Hotel being just below, and Jake Harder's gun shop standing at end of present Harris Street. The artist of this remarkable painting is unknown.



MAIN STREET IN 1840, LOOKING SOUTH FROM "BURYING GROUND HILL."

The old Irwin Tavern was kept in 1846 by Alanson Lyon, who had moved to town from Burlington, where he had been engaged in business for the sons of General Welles. This family is well remembered for the bright and attractive daughters. While they later removed to the West, they never lost their interest in old Athens.

In 1850 Moses Sawyer was still an active citizen and popular tailor; he was later a resident of Waverly. About this date William Wilson (popularly called Billy), who married Cynthia, daughter of Abraham Snell, was one of the thriving young merchants in the new brick block. William Myers, an industrious citizen, had succeeded A. T. McGeorge as cabinetmaker. Thomas Evans, a Methodist preacher, who had an early residence in Litchfield, settled in Athens in 1848, coming from New York State. He was the father of Isaac Evans, the well known lawyer, and of Mary, who married Benson Carner, and is the mother of Orson, Clinton and Evans Carner, citizens of to-day. Squire Northrup, a native of Orange County, settled here at this time, and was well known as a produce merchant, as later was his son George; and he has other descendants in the valley.

The family of Peter Meeker came at this period. While not permanent residents, they are well remembered, especially Augustus Meeker, who was a brave Captain of an Athens Company in the Civil War.

John Willoughby Nevins, a Scotch-Irishman, grandfather of present residents Mahlon and Alonzo, was a Methodist preacher in this vicinity prior to 1850, and finally located in Athens, where the family have resided ever since. The Nevins first settled in New England, and had a fine Revolutionary record. John M. Pike, who had previously settled at Ulster and married Miami Lockwood, came to Athens in 1850, purchased the Irwin tavern and continued landlord until the old hostelry burned in 1875. Mr. Pike was the grandfather of Charles Kellogg, Jr., his only living descendant. Mr. Pike is supposed to have belonged to the Pikes of Revolutionary fame. Josiah Hull, a native of Connecticut, father of Charles T. Hull, came in 1847, purchased property corner Main and Ferry Streets, where he lived and died; he was a skilled mechanic. One son still occupies part of the original property. About 1846 the Fritcher family came to Athens from Syracuse; Henry, James, George and Maria. Their parents were John Fritcher and Maria Palmer of Palatine Bridge, N. Y. Later James was a resident of Waverly, where he died, leaving some descendants; George, after a brief residence in Athens removed to Owego. Henry was a resident for many years, finally returning to Syracuse. He married Ann Sprague Ryder of Providence, R. I., October 23, 1825, and raised a large family of children, who are well remembered by the older residents of Athens. Henry was an active business man, and he and his wife were highly esteemed. Maria married Martin Rogers of Athens; later they went to Iowa. Another well remembered family was that of William Hancock, a grandson of Isaac Hancock, b. June 7, 1740; d. March 2, 1823, who came from Lancaster, Pa., to settle in Wyalusing at an early date. This family is supposed to be descended from John Hancock, one of the

signers of the Declaration of Independence; the name John is found in every generation. William's wife was Lucy Northrup of Wyalusing. She was a lovely woman, held in pleasant remembrance. One son, John Frank Hancock, survives, who went West, as did his father several years ago.

In connection with the building of the canal, Athens received her quota of thrifty Irish settlers, who have proved excellent citizens, and reared families of children who reside in Athens to-day, or are well known here. The Colemans seem to have come at the earliest date, about 1847, William, John, Richard and Catherine. The two latter never married. The descendants of John are widely scattered, but well remembered. The family of William are still here, the daughters being well educated, intelligent young women. About 1849 Jeremiah Collins came. He married Joanna, daughter of Catharine Lyons, who, in 1855, had followed their relatives, the Colemans. They reared a large family, some of whom still make Athens their home. There are many other Irish families who came a little later, prosperous and respectable citizens, whose children, having had educational advantages, are among our foremost teachers and scholars.

In 1851 the community suffered a great loss by the death of David Paine, of whom it was then written:

"Few old associates now remain; yet in the early settlement of the Susquehanna valley, his home for half a century, his name will be remembered as one of those identified with its history and improvements. His warm heart and social disposition won the esteem and love of all who knew him."

Clement Paine's last days were spent in the home of his son in Troy. Of Athens at that time he said: "I remember well when there were but few in the country that I did not know by name, now I hardly know half whom I meet in the streets of the village."

Old associations, however, were renewed in the Old Pioneer meetings, instituted in the early fifties by the first settlers of this region, notably, Judge McDowell of Chemung, and Thomas Maxwell of Elmira. The first "Pioneer Festival" was held at Elmira March 4, 1853, at Haight's Hotel, the object being "to save from oblivion the history of the settlement of the Chemung and Susquehanna Valleys." According to the *Owego Gazette* it was for the settlers of Tioga, Chemung, Steuben and Bradford Counties. The object not being generally understood, the attendance was small. The chief address was by Thomas Maxwell. Unfortunately there is no known complete record of any of these meetings. It was resolved to hold the next on Washington's birthday, 1854, at Tioga Point. The only known record of this meeting is in the preface to "Early Times," and a verbal account given to the writer by Ralph Tozer. Major Zephon Flower presided. Judge John G. McDowell made an address, deploring the change of name from Tioga Point to Athens, saying: "*To me there is a religion in old names.*" Judge Avery's address was in substance the first part of his sketches of the Susquehanna Valley, later published in the *Owego St. Nicholas*. The third meeting was held February 22, 1855, at Owego, in Ahwaga Hall, which was crowded with people from Chemung, Steuben, Tioga, Broome, Tompkins, Bradford and Susquehanna Counties. G. H. Barstow pre-

sided. It was decided to elect officers annually, committees were appointed, etc., yet no secretary's book or record seems to have been kept. "Unfortunately those present did not record their names." From this locality are mentioned Job Shepard and J. F. Satterlee. There was a large exhibit of relics, among others, "*The Gore spy-glass said to have been taken by Col. John Franklin, was exhibited by a Gore.*"

The *Gazette* made special mention of "the highly respectable attendance from Bradford County, admirably represented by many of the best men from Towanda and Athens, and the fairest of the ladies, who added life, brilliancy and intellectual enjoyment to the proceedings." A most interesting address was made by C. L. Ward of Towanda, in which he said that he had contemplated writing a history of Wyoming *before Miner did*; and that he "persuaded Col. Franklin to prepare a plain, unvarnished narrative of the eventful struggle in Wyoming." His partially prepared Ms. was burned, and the Franklin paper mislaid until completion of Miner's history. Mr. Ward proposed to read this narrative at the Owego meeting, but time did not permit. He, however, read an original poem, which pictured well pioneer life. This has sometimes been printed without the author's name, and appropriated to a different locality.

The title of his poem was "A Plea for the Pioneer"; it had many stanzas, was fully published in Owego and Towanda papers, and is in the collections of Tioga Point Museum. We here give the last stanza, lack of space preventing a complete reprint:

"God rest them! in their last low homes,
With all their brave compeers,
Who fought and bled, or toiled and strove,
Through many lingering years.
That thus their sons in prosperous peace,
Could pleasantly review
The many changes time has wrought
Since this, our land, was new."

One of the after dinner toasts was to Bradford County, as follows:

"The self sacrificing spirit of the devoted Zeisberger consecrated her southern limits. The intrepid Pike and his companions made her border warfare memorable. Her Fort (Spanish) Hill and Tioga Point on the Northern limit are classic ground. While her Franklin, Satterlee, Maxwell, Flower, Shepard, and a host of others, have rendered her pioneer history instructive and honorable."

Christopher L. Ward responded to this, beginning with an eulogy of William Penn, and showing an original letter from Penn to the Susquehanna Indians.

A circular invitation had been sent out to many noted historians for this meeting, and letters were read from Schoolcraft, Brodhead, Cass and others. Schoolcraft wrote:

"The inhabitants of every new district have conquered three great enemies; 1. the forest, 2. the Indian, 3. want and toil, * * * while the world stands, there shall be no second forest age of the Susquehanna."

Brodhead wrote:

"The more that is known of the history of the locality, the more the people will love it, and stand up for it; not only for what it is, but for what their prede-

cessors have done and suffered to make it what it is. Collect and preserve the records that can alone tell the real truth, which time is continually burying in oblivion."

By motion at this meeting the counties of Broome, Tompkins, Susquehanna, Wyoming and Luzerne were added to the "Pioneer Association." The fourth meeting was held February 22, 1856, at Binghamton. G. H. Barstow presided and gave a brief summary of previous meetings. He said that at Athens no regular orators were appointed, the visitors did not dine together, and that there was no organization, standing officers or registered proceedings previous to the third meeting; but that every inhabitant of this region was a member if they wished to be so considered. In closing, Mr. Barstow suggested that steps be taken to preserve what had been collected. The secretary, William Stuart, was instructed to procure subscriptions and prepare proceedings for publication in a pamphlet. But no such pamphlet is known to the writer. A poem was read, written by Theodore Munger of Owego, in which were the following lines:

"Ta-he-ho-gah, when the waters meeting clasp each others hands
And go singing on together carrying joy to many lands."

Among the tributes to deceased members was a fine one to Judge Williston, closing thus: "As a high-minded Jurist, he did honor to his profession." Tompkins and Schuyler Counties were now added to the association. The fifth Festival was held at Ithaca in 1857, the sixth at Montrose June 2, 1858, and the seventh and last at Wilkes-Barré in June, 1859, George W. Hollenback being the last president. "All persons feeling an interest in the history of the early settlement of the Susquehanna country were desired to attend." Charles Miner ridiculed the early "Pioneer Festivals," commiserated Cass, Brodhead and other historians because they were invited, and claimed that in his history he had covered all the ground between Wysox and Wyoming; wherefore he was assailed by Judge Avery and others, both for omitting "the early settlement and pioneer struggles of the French exiles in Bradford," and for calling some of the staunch patriot pioneers "Tories." In these controversies Miner seems to have been somewhat at fault.

Between 1850 and 1860 Athens evidently had another period of decadence. In 1855, when "Brick Pomeroy" came here to edit the *Gazette*, he called it "a dead, dried-up and gone-to-seed little village." "Brick," however, kept a live interest in local affairs for two years with his spicy pen. And yet it was in this decade that Welles and Shipman built a large foundry near Bridge and Elmira Street, which was long an active industry in the town; the building burned in 1872. A large steam mill was also built on Elmira Street, near the foundry. These industries attracted to the town many mechanics, who had but a temporary residence, the Freeborns, Wells, and other families. In 1856 the town was greatly excited over a visit from Horace Greeley, who spoke to a large audience at the Exchange Hotel. And perhaps there was still more excitement October 5, 1858, at the sight of a comet reported as

"A wonderful sight in the heavens, equal to a star of the first magnitude; its tail 20 to 30 degrees in length situated 2 degrees south of the planet Mars, moving southward at the rate of 3 or 4 degrees in 24 hours."

In 1854, C. F. Welles, who had purchased the Cook property some years before, removed the house, and built one of brick, here



RESIDENCE OF CHARLES F. WELLES, JR., ERECTED 1854

shown, which was the family home until his death in 1872. In this decade came James A. Bristol, an active business man for many years, and who resided here until his death; erecting soon after his arrival a substantial residence on the edge of the town, where he and his wife spent their lives.

In 1858 Joseph M. Ely came to Athens as a preceptor in the Academy, a work shared by his wife, who was a granddaughter of a Wyoming hero, Capt. Asaph Whittelsey. The Ely family have been residents of Athens ever since, the present survivors being Joseph Ely and Mrs. Julia Kinney. Mr. and Mrs. Ely were among the foremost educators of this region, and many pupils hold them in loving remembrance.

In 1859 Samuel Sawyer removed from the township and purchased the lot where his daughter still resides, at the lower end of original village plot. Former occupants had been William Fritcher and William Norton. Some of Mr. Sawyer's sons are still active men of the town, worthy and respected.

About 1850 came the family of Lathrop May Allen from Fayetteville, N. Y. He was the son of Hezekiah Allen, a well known lawyer of Pittsfield, Mass., and was descended from the same ancestors as General Ethan Allen, and had an interesting Revolutionary record from his mother's family. Lathrop was a soldier in the war of 1812. His son, Fayette A. Allen, spent his life in Athens, where his descendants still reside, Mrs. Joseph Thurston and Eugene Allen. This family long had a home at the corner of Main and Chestnut Streets. In 1856 Samuel B. Hoyt settled in the borough. He was the son of a Sheshequin pioneer, Samuel Hoyt, native of Guilford, Ct., who married Mary, daughter of Samuel Bartlett, a friend of Ethan Allen, coming from the same town, Sunderland, Vermont. Samuel Hoyt, Sr., was a skilled

mechanic and builder, and his wife was the *tailoress* of the valley, having a most unusual reputation, and employing many assistants. They had three daughters and two sons. Samuel, Jr., was for many years toll keeper at Susquehanna bridge, and spent his life in Athens, which is still the home of his youngest son, Hon. L. T. Hoyt. The other son of Samuel, Sr., was the well known Giles M. Hoyt, whose home for sixty years was at Greene's Landing. In 1858 a new foundry was started for the manufacture of agricultural implements by Raymond M. Welles²⁵ and John and Samuel Blood,²⁶ two brothers, who came to Athens from Albany, N. Y. This was a thriving industry for many years; it was located first in the old Welles and Shipman foundry, and then in a new building back of the Presbyterian Church, to which Harris Street was finally opened. Other industries not mentioned were the extensive carriage shops of A. P. Stevens, and later of James A. Bristol.

In 1860 the town was growing decidedly nearer Mile Hill, the population, according to U. S. Gazetteer of 1858, was 706. The third generation of the pioneer settlers were now the active citizens. Familiar names among them were George H. Welles, Horace and John Williston, Elisha Satterlee, Jr., Park Mathewson, Guy Tozer 2nd, and his sons; Stephen Hopkins, Curran and Hopkins Herrick, Armstrong Tyler, Edward Murray, youngest son of Abner, and John Murray (son of Harris, son of Abner), whose father had an early homestead near the State Line; Dana Park, Henry Baird, Jesse Spalding, Nathaniel C. Harris, who had a mercantile business with Frederick N. Page, son of the Englishman Thomas Page, and many others.

In vain endeavor to give complete annals, and conscious of many possible omissions, we are moved to end this chapter in the words of Oliver W. Holmes:

"When life has run its largest round
Of toil and trouble, joy and woe,
How brief a storied page is found
To compass all its outward show."

²⁵ Raymond Welles, son of Charles F. Welles of Wyalusing, located in Athens about this time and married Amelia, daughter of Thomas Page. They made Athens their home for many years, and most of their children were born here. They removed from Athens to Towanda, where they still reside. Their children are Charles, Frank, Edward, Arthur and Emma (Mrs. George Barton).

²⁶ They were sons of Ezra Blood of Worcester, Mass., and sixth in descent from Richard Blood, who emigrated from England in 1632. John Blood and his third wife (Kate Kennedy) are now living in Chicago, where they removed about twenty years ago. Samuel married Ellen Angier; he lived and died in the valley; his wife survives him. Their children are Clarence, now resident in New York City, and Anna (Mrs. Fearon), now a resident of Sayre.

CHAPTER XX

DEVELOPMENT OF HIGHWAYS AND TRANSPORTATION

Indian Trails—Bridle Paths—Waterways—Post Routes and Stage Coaches—Roads—Canals—Railroads

In these days, when we go flying over the country in auto-cars, trolleys and lightning express trains; when we have the ocean greyhound, the tank ship, the whale-back and the oil-pipe lines, it is almost impossible to realize the difficulties of transportation in the pioneer days; and the Rural Free Delivery will soon make us forget the time when to get a letter to a friend was a difficult and well nigh impossible task.¹

It is an oft repeated observation of the average writer that the trails of the primitive Indian show his intuitive knowledge of geography and locality. Yet to the student these trails are almost invariably known to have been the paths taken from one feeding ground to another by the wild animals that once filled the forests. They have always proved the most accessible and direct routes over mountain ranges, as well as along the waterways. It is well known that the great trans-continental railways follow the trails of the once great buffalo herds. Thus the *natural* highways have in many instances become the highways of the nations.

An Indian trail, as described by Lewis H. Morgan in "The League of the Iroquois," was from 12 to 18 inches wide, and was often worn to the depth of a foot. Indian runners could make a hundred miles a day over these trails; the runners took the place of horses. The trails following both banks of the Susquehanna had been in use for generations before the coming of the white man. As Diahoga was an important point, many trails seem to have met here. Those from the *north* followed both rivers, converging from the great central trail across New York state between the Hudson and Lake Erie. Leading *south* from here was the "Great Warrior Path." Craft says:

"This began at Tioga, crossing the Chemung at the rifts, near the junction, passing to the east side of the river at the fording place near Sheshequin, thence to Shamokin (Sunbury) where it joined the West Branch path, and thence to the nations of the south and west."

The Minisink path led from Diahoga *eastward* to the Delaware. The Sheshequin path was the great thoroughfare to the West Branch; this had two trails; one following Lycoming and Towanda Creeks, the other Pine and Sugar Creeks, with numerous cross paths. The latter

¹ Let us give, as an illustration, an episode of early Tioga Point. A young girl, a beloved daughter of a Harrisburg family, came to visit some friends here. She was seized with a prevailing epidemic and died suddenly. A letter was sent to her parents; and, as soon as possible, a coffin was constructed, and a man hired to convey the body by wagon, over the mountains to her home. Naturally it was not a rapid journey; yet, when the man arrived with his doleful burden, the letter had not yet been received, and his inquiry for the home of the girl's parents was the first news of the sorrowful happening.

trail passed over Ulster² Mountain (from Oseolui), where it was called "the narrow way."

The early missionary travelers record great difficulty in traversing these trails, through swamps, impenetrable thickets and dangerous mountain paths, where at times they were even obliged to crawl on hands and knees for safety. Across the river from the "narrow way" was the famous "Breakneck" path over the Sheshequin Mountain. Sullivan's soldiers reported this as very steep and dangerous, and that they here lost their bullocks. A bridle path was maintained over this trail for many years.

When the Indians migrated from Wyalusing to the Ohio, they took the path up Sugar Run and down the Loyalsock. Weiser in 1737 came up the Muncy path to Tioga, *i. e.*, up the Lycoming to the divide, near present Grover, down Towanda Creek to about West Franklin, then across to Sugar Creek, down it to Susquehanna, up west side to present Ulster. No doubt, all these trails were the bridle paths of pioneer days.

The river was the natural highway of the Indian and of the pioneers; and the early travel, not by water, was on horseback; a horse often carrying a number of people, children being counted. Of this valley it has been said that Matthias Hollenback in establishing his trade, which extended from Wilkes-Barré to Niagara, opened the bridle path which was used by many noted travelers between the Great Falls and Philadelphia. The pack horses also carried many burdens, the rude pack saddle of Indian design having never been excelled in usefulness. Sullivan's army had 2,000 pack horses.

The first regular mails were carried by post-riders on horseback; yet in 1803 mail was carried from Wilkes-Barré to Tioga Point *once in two weeks by men on foot*. Letters for Tioga Point were often addressed to the postmaster at Wilkes-Barré, and quite as often sent by some friendly hand. The horse was long preferred for a journey. As late as 1810 Henry Welles, who was in the State Legislature, wrote for a horse to be sent down *on a raft* for his homeward journey; and was much concerned because there was little indication of the usual "spring fresh," fearing no rafts could run to bring horse down.

As early as 1771 the Assembly declared the Susquehanna a public highway. The settlers along the banks proposed to expend a considerable sum to improve the navigation. For, while the river was extensively used, it was by no means easily navigable, as it had been for the light birch bark canoe of the red man; yet it was a "*fondly cherished dream that the Susquehanna would become a great commercial highway.*" Therefore the Assembly aided the settlers by appropriating funds and appointing commissioners to superintend the work. It was a scheme of some men to make the Susquehanna the route of a public waterway between the *East and West*. Some years later William McClay was employed, and the Assembly appointed him in 1783, "to examine the navi-

² Meginnis, in "Otzinachson," says, "The Wyalusing Path ran up Muncy creek to the head, then crossed the Loyal Sock, half a mile from the present crossing of Berwick pike, then passed near Dushore, and struck Sugar Run near N. E. corner Sullivan Co.; thence down the creek to the river. The great Sheshequin Path ran up Bonsen's Run, thence over to Lycoming Creek near mouth of Mill Creek, thence to the head of Lycoming, to the beaver dams, thence down Towanda to Sheshequin Flats."

gation of the Susquehanna river to the sources of the same." Gravel bars were cleared away, trees and stumps removed, a channel opened, and towpaths made along the rapids. Sometimes a horse was carried in the boat or driven along shore, to be used for towing when necessary. In a few months the river was made fairly navigable from Wrightsville to Wyoming, and later from the Chesapeake to the New York State line.

The canoe, called the dug-out, was the first craft; hewn from a single tree trunk, it could carry several tons. Often a family with all their possessions, even live stock, journeyed up the river in one. When heavily laden they were managed by a person at each end, who placed their iron-pointed "setting poles" upon the bottom of the river, throwing their whole weight against them. There were women as well as men who could use the pole as well as the paddle, and even take a canoe across the river when in flood. The men's shoulders were frequently calloused by persistent pushing.

Built boats were first used on the Susquehanna about 1795, whether batteaus, Durham boats or keel boats, we are not certain. The Durham boat, named for a town on the Delaware, was 60 feet long, 8 feet wide and several feet deep, drawing 20 inches of water; the stern and bow were sharp and decked; a running board extended the whole length on either side. There was a mast with two sails for occasional use; a man at the stern with a long oar for steering, and two on each side with setting poles. The keel boat was similar, often larger; and when covered or roofed was called a barge, looking somewhat like the present toy "Noah's Arks." To "push goods up the river" was a regular trade for many years. When returning, passengers as well as produce were carried.

Taking lumber to market by *rafts* has always been a well-known industry, but the present generation knows little about *arks*. In March, 1800, the first ark that ran the Susquehanna was built at White's saw-mill, five miles below Bath, N. Y., on the Conhocton. It was loaded with wheat and lumber and created a sensation. The ark was used for many years, although more easily wrecked than rafts. They were like huge boxes, about 65 feet long, 16 feet wide, pointed at each end and sided up with two planks. First the bottom or "ark bed" was framed, planked and well caulked, made upside down near the water's edge. Then the frame was "turned," a great event when many were built. Stern posts, 3 feet high, were set at each point, from which to wield the single oar. The oars, called "sweeps," were 30 feet long, made from small straight white pine. The sides were fitted on with wooden pins, *no nails used*. It was no unusual sight to see a hundred of them in the river at once. Ark building was a great industry at Greene's Eddy, just below town, for fifty or sixty years. Grain, shingles, pork and whisky were thus easily marketed. "Tioga Point was practically the head of navigation on the Susquehanna during the first half of the nineteenth century." The children well remember their father's tales of arks and rafts, and of "the freight boats that were poled up the river, and landed at the public square; there they were unloaded, and contents hauled by wagon to central New York and beyond; a traffic, which began

with the tide of migration that swept through Tioga Point to the Genesee Valley even before 1800. Gen. Horace Williston thought the sunken boat found at Sheshequin was one of these old freighters and

19th April 99.

Mr. Tuttle The bearer Mr Hollenback will deliver you
Fifty Dollars in bank Notes and an Obligation of
Thomas Wright, for which you'll please to sign as
receipt — as My Direction from Mr. Hollenback is to
Pay Money to you — so good blefs you and your
Raft- but beware of the Islands and button Woods
a the Devil will be apt to get you yet,
Mr. Stephen Tuttle Marville

not even as old as Sullivan's time. The perils of "running the river" are plainly indicated in the letter found among the Hollenback papers, here reproduced. The raftsmen and men who ran the arks had .75 per day going, \$1 at end of journey, and generally walked back. The ark rope or hawser was a curiosity, 100 feet long, as big as a man's arm, woven of hickory sprouts.

The boat-horn announced the coming of the boats with mail and coveted packages; the horns were *conch shells*; and the different boats often came to be known by the sound of their shells.

Several efforts were made to introduce improvements in boat construction, and about 1829 a craft propelled by poles set in motion by horse-power machinery was put afloat, called a team-boat; but they were soon abandoned.

Steamboats having been invented, an effort was made to introduce them on the Susquehanna. The idea of navigation was an active one early in the century, as learned from letters of Richard Caton, long so sanguine as to the future of Tioga Point. In 1801 he writes from Lancaster:

"The river will I expect open this year, a law is before the legislature for the purpose * * * I am sure lands will rise on the opening of the river, * * * I believe a safe communication will be made to tide water * * * In five years we shall have navigation complete, indeed in this year the bed of the river will be cleared, and by next Spring I hope to see lumber float down without difficulty or danger, * * * 1803 We have a fair prospect of getting navigation of river completed from Maryland Canal to Columbia. The Governor of Pennsylvania offered in behalf of the State to join with Maryland and lay out \$40,000 on the work, but Maryland legislature is too ignorant * * * but it will prevail in the end. * * *" 1804 "As you will have abundance of water in river, descend with large loads, Maryland Canal receives boats."³

³ We learn from Pearce's "Annals of Luzerne" that it was believed that large vessels could be built on the river and floated down to seaboard. Accordingly in 1803 a sloop of twelve tons burden was built at Wilkes-Barré, named "John Franklin," after the Yankee hero.

In 1810 Henry Welles writes to Caton:

"Pleased to see Mr. Sterret of Baltimore with a memorial from Maryland Canal Co. proposing co-operation with Penna. in improving navigation—an object of the first magnitude, which I hope will meet with proper attention. The jealousy of Philadelphians will probably retard action, but they cannot coerce trade out of its natural course much longer; for the people on the Susquehanna are becoming too numerous and influential in the legislature."

However, Henry Welles left the Legislature without seeing this accomplished. But in 1825, when the wave of "internal improvements" struck the Legislature, the canal projectors encountered the sentiment of friends of the "river interest," who contended that the Susquehanna could and should be improved as a conveyance to the East and South. Consequently, in 1826 the canal scheme was only passed by agreeing to an appropriation of \$20,000, "to remove obstacles above Northumberland," anticipated to be the forerunner of a time when "*the Susquehanna would swarm with steamboats*" about said town. The friends of the river interest were all ready to prove their theories, and their steamboats were in process of building by Baltimore, Philadelphia and West Branch capitalists. Pennsylvanians craved the honor of introducing this form of navigation, and before the bill passed, in April, 1826, the *Codorus*, built at York, was on her way up the stream. She was 60 feet long, 9 feet beam, with 10 horse-power engine, carried fifty passengers and expected to make up stream four miles an hour; drawing only 8 inches of water. She ran up the West Branch to Williamsport, back to Northumberland, and up to Elmira, heralded by the newspapers of the day, and admired by hundreds who flocked to the river, proud that Pennsylvanians had started the first boat. She was warmly welcomed by the Athenians, who "now realized their fondest dreams."⁴ From Elmira the *Codorus* came down around the Point, continued to Binghamton, and then turned back, reaching starting point *four months* after the trip began. Capt. Elger, in command, was disappointed, and reported that it was a failure for practical purposes. Meanwhile the Baltimore boat, the "Susquehanna," was completed and started on a trial trip. Her builders were in opposition to the Philadelphia backers of the *Codorus*; and, not without reason, hoped to control the river traffic. Their boat was a stern wheeler, 80 feet long, 30 horse-power, carrying one hundred passengers. Several business men of Baltimore, three State commissioners and some up river merchants were among her first passengers. She reached Nescopee Falls May 3. Progress had been slow, and as these were the most difficult rapids, all but twenty passengers left the boat and walked. As she stemmed the current, the assembled crowds cheered wildly; but all too soon; for in the angriest rapids the boat

It reached tide-water in safety and a stock company was at once formed, with great anticipations. It was at this time that the so-called "Welles' Folly" was built, doubtless anticipating sloops might be built and sent from Tioga Point. However, the second sloop was dashed to pieces on her trial trip and the bubble burst.

⁴ The *Bradford Settler* of May 11, 1826, says: "As she appeared round the bend, she was hailed by the firing of a feu de joie, and the ringing of bells. The banks were at once lined by hundreds. The Captain was invited to land and partake of a public dinner prepared by Mrs. Spalding, at which Judge Herrick (of Tioga Point) presided. The Captain was appropriately addressed by Alpheus Ingham in behalf of citizens of Bradford County." It was reported that much difficulty had been experienced by the captain for lack of wood, and suggested that inhabitants along the shore take pains to have dry yellow pine or pitch knots prepared at convenient places to avoid delay. The above celebration was at Towanda.

stopped, turned, struck a rock, and the boiler exploded. Several persons were instantly killed, among whom was a merchant of Owego, William Camp, grandfather of J. M. Ely, of Athens. The third boat, "Pioneer," built by Williamsport people, was abandoned after a trial trip, and the high hopes died.

Among the articles on early Susquehanna navigation, published in the Wilkes-Barré *Record* in 1887, is a note from Samuel Evans, of Columbia, quoting from minutes made in 1825 by a resident of that town: "June 12, 1825—The steamboat came here last evening, and it is said was engaged in taking parties of pleasure out * * *." Mr. Evans says it arrived at Marietta about June 15, having spent one day getting through the falls between Columbia and Marietta, a distance of only two miles and a half. Its arrival was welcomed by the entire population, cannon were fired, etc., and there was great rejoicing. Mr. Evans speaks of this boat as "the Susquehanna;" also says that pilots were always engaged at these points to run rafts to tide water, as the current was about 260 feet, water very rapid and course tortuous and rocky, although large sums of money were appropriated at different times to improve the channel. He said none were surprised at the destruction of the Susquehanna, though he gives no details. The dates are conflicting, but the writer has no enlightening information.

"In 1834, H. F. Lamb, G. M. Hollenback and others built a boat at Owego of 40 horse-power. The first trip to Wilkes-Barré, August, 1835, was made in eight hours, and the boat was loaded with coal for return. On the second trip the shaft was broken at Nanticoke dam, and the boat sunk and abandoned. The last trip, as ably described by the spirited pen of N. P. Willis in "Rural Letters," is here appended without the raftsmen's yarns, etc.⁵

⁵ "Navigating the Susquehannah is very much like dancing 'the cheat.' You are always making straight up to a mountain, with no apparent possibility of escaping contact with it, and it is an even chance up to the last moment which side of it you are to chasseez with the current. Meantime the sun seems capering about to all points of the compass, the shadows falling in every possible direction, and north, south, east and west, changing places with the familiarity of a masquerade. The blindness of the river's course is increased by the innumerable small islands in its bosom, whose tall elms and close-set willows meet half-way those from either shore, and the current very often dividing above them, it takes an old voyager to choose between the shaded alleys, by either of which you would think, Arethusa might have eluded her lover. * * * It was somewhat ticklish steering among the rafts and arks with which the river was thronged, and we never passed one without getting the raftsmen's rude hail. One of them furnished my vocabulary with a new measure of speed. He stood at the stern oar of a shingle raft, gaping at us open mouthed, as we came down upon them. 'Wal,' said he, as we shot past, 'you're going a good hickory, mister.' The different modes of expressing surprise became at last quite a study to me, yet there were some, who, I think, would not have risen from their elbows if we had flown bodily over them. 'When did I descend the Susquehannah on a raft?' you ask. Never, dear Doctor, But *I have descended it in a steamboat.* * * * It is an in-navigable river it is true, and there are some 20 dams between Owego and Wilkes-Barré, yet, have I steamed it from Owego to Wyoming, 150 miles in twelve hours—on the top of a freshet, * * * and now you will wonder how a steamer came at Owego. * * * A friend of mine took it into his head that as salmon and shad will ascend a fall of 20 ft. in a river, the propulsive energy of their tails might furnish a hint for a steamer that would shoot up dams and rapids, * * * A Connecticut man undertook it—the product of his ingenuity was the steamboat 'Susquehannah,' drawing but 18 in., having besides her side-paddles an immense wheel in the stern, which, playing in the slack water of the boat, would drive her up Niagara, if she would but hold together. * * * Altogether she was a neat piece of contrivance, and promised fairly to answer the purpose. I think she had made three trips when she broke a shaft, and the canal was half completed between her two havens before the experiment succeeded. The proprietors determined to run her down the river to sell, and I was invited to join in the trip. * * * We got off in the usual style of a steamboat departure and with a stream running at five knots, and paddles calculated to mount a cascade, we could not fail to take the river in gallant style, and before we had regulated our wood-piles and pantry (most of the crew were the passengers) we were backing water at Athens 20 miles on our way."

In 1849, in one of the lapses of canal construction, the "Wyoming" was built at Tunkhannock, a steamboat made to carry 40 tons of coal, and for three years this plied between the Wyoming coal fields and Athens, carrying grain and produce in return. This drew a crowd on every trip, landing in Athens at the foot of Ferry Street; but could only run when the river was high, so proved to be unprofitable. The last steamboat for trade was the "Enterprise," built and launched at Bainbridge, N. Y. in 1851; soon grounded in shallow water, and left to rot. The navigation of the Susquehanna was impossible, and the air castles of two generations tumbled. Various small steamboats, built at Owego for local use, whenever run down the river have been overtaken by disaster, like their predecessors. The last one passed Athens in 1889, and to-day the upper Susquehanna is navigated only by the light canoe or the flat bottomed house boat.

Ferries and Bridges.

There were no bridges in pioneer days, but innumerable ferries. The Assembly fixed the rates and legislated as to their maintenance; and sometimes the Penns claimed an interest, gave licenses and converted them into monopolies. The first ferry at Tioga Point was Moore's, across the Susquehanna, just below the Island, opened in 1785, later known as Park's. Elisha Satterlee gave name to the next, which he established in 1790 between his home and the foot of Ferry Street. There is no record of first use of the one across the Chemung, just above present bridge, but it was very early. In 1794 Nehemiah Northrup, a settler on land now H. Baldwin's farm, opened a ferry farther south than Moore's, from his land to the Point, which became the popular ferry for Sheshequin people.⁶

In time the Legislature established regulations for erecting bridges. If any individual was willing to embark in the enterprise the law allowed him all the receipts, and a so-called "Bridge Company" likewise. The first bridge over the Chemung was built in 1820 by a stock company, but it had been under consideration for ten years, as shown by annexed extracts from letters of Henry Welles, when member of Legislature, and by David Paine to him, *eight years later*:

"Lancaster, Feb. 15, 1810. Overton and Cash have been here with the projects for the road and bridge * * * there will be no great difficulty in getting the necessary acts passed here—the job is at Tioga—I am doubtful whether any one would subscribe to bridge erection, perhaps a year or two may bring it about * * * the people are very careless or have much reliance in their representatives, to ask for a Bridge constitution which ties them up to certain defined terms, without even mentioning what terms they want—what prices shall be fixed for crossing over it when built * * * however I will get as nigh right as I can—its a very desirable object."

⁶ Miss Polly Lowe, ninety-three years old, says Northrup's ferry was still in operation when she was a young girl. That they had a veritable fleet of boats of different sizes for horse and foot passengers, that they were poled or rowed across the river, no wire or windlass as nowadays; that Nehemiah was a fine man, and that "his sons did swear awfully when they were ferrying you over." Aunt Polly lived in Sheshequin, and remembers well the various boats for freight, "some covered and some not;" also the steamboats and the first carriage of coal up the river. She adds, "father was a blacksmith, and before Barclay coal was known he used to drive across the country to Blossburg to get coal to use in his smithy; and also when mother wanted to do a big baking she borrowed some of father's coal to help along the fire." Showing that no doubt it was the wives of the blacksmiths who first learned the value of coal as a cooking fuel.

1818. "I have something to say about our bridge. I find by examining Bridge Law, by which we are to be governed that we were under obligations to commence procedure within three years from passage of the law, and to finish the Bridge within seven years. Now more than three years have expired since passage of the law, therefore, unless obtaining subscribers for stock be considered a commencement, the privileges are forfeited, and we have no control over subscriptions already obtained. As this is an important matter do ascertain legal opinions relative thereto. Our boasting Doctor's \$2500. has dwindled away to—O—he is therefore secretly desirous the bridge shall not be built at all * * * Satterlee talks boastingly, but neglects to do, * * * and A. Murray is a very poor man—you know—'Tis therefore Jno. Spalding has engaged to promote the matter, and obtain subscribers to the stock. He will subscribe \$1000, thinks he can obtain one or two thousands more *provided the bridge shall be built down opposite his premises*. I understand that you would do something more provided it was built below than for the upper place. If we can control stock already subscribed, there is little doubt we may accomplish the object, by building it at the lower place. You will therefore see the propriety of having the law extended, that we may retain the power of benefitting by it, as circumstances may justify."—D. Paine.

The bridge, when built, must have been a flimsy affair, as it went out in a flood in 1833 and was rebuilt in 1836. It was then a covered bridge, with wooden piers. Rufus Wright was the earliest toll keeper of whom we have record. But the one best remembered after him was the genial Welshman, William Parry, who knew everybody passing, and their business.



WILLIAM PARRY

The old bridge and turnpike seals were found among the papers of Clement Paine.

In 1827 a company was incorporated by act of Legislature to erect a bridge over the Susquehanna at or near Athens. Commissioners were appointed (Charles Comstock, John Spalding 2nd and Samuel Ovenshire) to procure subscriptions, etc. Nothing was done for ten years, when the matter was brought to an issue by the energy and means of Scotch Thompson.

The next bridge to be built in the township was the one now known as "Tozer's Bridge," over the Chemung, also built by a stock company about 1836, called the "Athens Farmers' Association Bridge," capital stock \$3500. The bridge over the Susquehanna was built in 1841. Richard or "Dick" Durbin, as he was familiarly called, and William Bishop were contractors. James Wilson was one of the workers on this bridge, and shortly before its completion had the misfortune to fall from a girder and break his leg. Compensation was granted for this injury by installing "Jim" as toll keeper before the structure was finished. This position he held for two or three months, being allowed to pocket the tolls.

While the wooden piers have been replaced by stone, and the bridge repaired, until doubtless little of the original work remains, in appearance it is the same as when first built. The street leading to this bridge was first opened at this time, 1842, the land being given therefor by the "Athens Bridge Company," Judge Herrick and Thos. R. Davies.

To return to the development of the highways, the first road to and through this settlement was that constructed by General Sullivan's



THE OLD SUSQUEHANNA BRIDGE

Photographed by Miss Laing, 1898

army, very much the same as the road now leading from the Stone House directly up Main Street, which street is as Jenkins surveyed it in 1786.

The first public road coming from the south was a tolerable wagon road from Wysox to Tioga Point, built in 1789. The court was petitioned to establish the same, which was done in 1794, as "the Old Stage Road."⁷ Previous to this, however, were the so-called

"Observations of the Road Committee on the Utility and Importance of the Roads proposed to be Laid Open in Northampton and Luzerne,"

found in Pennsylvania Archives, third series, Vol. XVIII, which suggested that a road to Tioga Point would help to quell disorders, open new lands, and by giving an opportunity for grazing lands, provide sufficient beef, and thus avoid importation from Ireland. This report is worthy of perusal. Walker says:

"In 1792 the road east of the Susquehanna was laid out from Col. Satterlee's to the State Line. In 1809 from Satterlee's to Moses Park's. In 1812 from Sheshequin to the Point via Northrup and Park (or Moore) ferries. In 1813 from Murray Creek bridge to Colonel Tozer's (now known as the Chemung Narrows). In

⁷After writing found this record: "We the subscribers being appointed a Committee by the Court of Quarter Sessions, within and for the County of Luzerne, on the first Tuesday of June 1789 to Lay out a road not exceeding fifty feet wide from Wysox Creek to Tioga Point, have, according to the power given us, viewed and Laid out a Road according to the following courses, (viz) beginning at the fording place at Wysox Creek and extending to Col. Hohenback's Store.

"A Return of the Sheshikwonock Road.

SIMON SPALDING	} Committee."
OBADIAH GORE	
REUBIN HERRINGTON	
JEHIAL FRANKLIN	
JOHN FULLER	
SAMUEL WYBURN	

Also, "In 1799 a road was reported to begin at Col. Elisha Satterlee's, and thence entirely over the high land to the Forks of the Wyalusing."

These roads were very different from those of to-day, full of rocks and stumps; fording the streams, unless a rude bridge was constructed of round or split logs laid on string pieces; and the sloughs and marshes laid in corduroy, that is logs laid close together.

1814 Paine Street and Satterlee Creek road (now Ferry Street). In 1821 road up Murray Creek. In 1821 Athens to State line. In 1831 Elmira Street from Athens to State Line."

Walker omits several important roads and turnpikes. In 1821 Zephon Flower and W. D. Bacon were appointed to survey a road west-erly. This road began, so they reported, one mile below Athens (no doubt at Greene's Landing), thence across Smithfield and Columbia, to Tioga County. Earlier still, about 1817, was constructed a road from Berwick to Newtown by an incorporated company called the Susquehanna and Tioga Turnpike Company,⁸ though the road was always popularly called the "Berwick Turnpike." While this turnpike did not touch Tioga Point directly, over it came swarms of settlers for this region. That this turnpike was under consideration for many years is shown by old letters. When Henry Welles was in the Legislature, in 1810, he wrote to R. Caton:

"I went to Philadelphia in Jan. for the purpose of trying to get the route of Berwick road changed, so that it may come round by the Point, and have succeeded on condition that the inhabitants about there should make the road from Towanda to the line, which will cost from eleven to twelve thousand dollars. This they have agreed to do, and have subscribed \$8000, so I have sanguine hopes. I think it will be extended to Cayuga Lake, and be a very useful road."

This project failed, the road eventually being built through Smithfield and Ridgeberry, some miles west of the Point.⁹

"About this time a turnpike mania seemed to seize the people; the Susquehanna and Tioga Turnpike was constructed at enormous expense to the state and individual stockholders, but the stock became valueless and the road was abandoned."—Pearce's Annals.

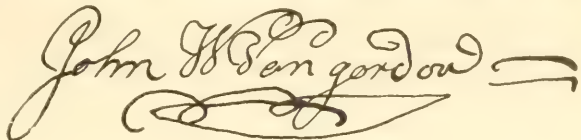
The "Genesee" road antedated the Berwick. About 1800 the rich valley of the Genesee River, opened for settlement, became the popular rage. To accommodate the great tide of travel and develop their own section, parties living above Muncy opened the Genesee road from Muncy to Towanda Creek, where it intersected the State road leading through Tioga Point. Hordes of emigrants from Maryland, Virginia and southern Pennsylvania passed this route, often 30 wagons (mostly Conestogas) bivouacking at a given point over night. The Berwick turnpike diverted travel from the Genesee road, parts of it were absorbed into township roads, or abandoned, and to-day little or no trace of it is found.

⁸ Halsey describes the origin of turnpikes. The demand for roads about 1800 was far greater than authorities could satisfy, therefore charters were granted to so-called "turnpike companies" of men who built and maintained roads for the privilege of imposing tolls. Wealthy land owners were naturally willing to invest in order to have their lands made accessible. Little grading was done, as travelers knew to their sorrow, primitive "tote roads," being often converted into toll roads with little labor, as the one from Wattles Ferry to Catskill, which became a great highway, much used by the people of Tioga Point. (From "Old New York Frontier.")

⁹ When the Berwick turnpike was under consideration a letter was written from Smithfield to Rowland Langford, Tynningham, Mass., which reads as follows: "I have bought a lot for you—I expect this will be a country of business. We have commissioners from the city of Philadelphia a laying out a turnpike road to Buffalo. * * * If possible you must not fail of coming in this fall.—I think you can come here cheaper in a wagon than any other way, you can pay a great many expenses with nails,—if the turnpike goes through there will be a great deal of building in this town. * * * I will give you some directions where to inquire for. After you have crossed Hudson river get onto the Catskill turnpike, and keep that till you get to the Susquehanna river, then go to Chenango point, then to tioga point, then to Smithfield so no more at present.

WILLIAM NICHOL.
"P. S. We have just received a letter from the turnpike viewers that it will be established on the line that goes across my farm."

Another turnpike, of even greater importance, was the Cayuga and Susquehanna Turnpike. In 1812 the Legislature of New York incorporated a company to build "a good and sufficient road to begin at or near the head of Cayuga Lake, thence south to the new courthouse in Tioga County, thence to north line of Pennsylvania at or near Chapman's mills" (Milltown). Some subscribers, if not the whole company, were Athenians or Pennsylvanians. At a later date John Franklin was president of this company, as seen by certificates in our Museum. The Pennsylvania Legislature advanced \$6,000 for building this road. The first toll gate on this turnpike was close to the present power house, above Spring's Corners, and the first gate keeper was John W. Van Gordon. Observe the spelling of the name, now known as Vangorder.



Over this turnpike there was much traffic both ways. Previous to its completion the window glass for Abner Murray's house, built in 1807, was brought by wagon from Ithaca over a rough road. On the way the wagon upset, and much of the glass was broken. No other could be obtained, and all the broken panes were carefully set in the back windows, to be seen to this day. An interesting petition, signed by various inhabitants of Athens Township, to the Legislature of Pennsylvania, requests that Shepard's Creek "or Cayuta" may be declared a public highway from its mouth to the State line, since the New York Legislature had declared the rest of it to be such.

There was a great inland trade over this "Ithaca turnpike;" coal going north, and salt, plaster and grain seed coming south:

"Owing to the embargo of 1812 and 1813 the farmers of interior were unable to procure plaster from the seaboard and were compelled to use New York plaster conveyed in sleds or wagons on the turnpike, or arks on the Susquehanna."—Pearce.



Post Routes and Stage Coaches.

The method of transportation that should next engage attention is the old-fashioned stage, carrying both mail and passengers. Mrs. Perkins, in "Early Times," gives a pretty full account of these, so we will only supplement it.

During the first session of the Sixth Congress, April 23, 1800, the first post road in this region was established, viz.: "*From Wilkes-Barre by Wyalusing to Athens*," also from Athens by Newtown, Painted Post and Bath to Canandaigua. On this route two post offices were established in this county, Wyalusing and Athens; Mowbrey and Peck were mail carriers; they traveled on foot once in two weeks. Evidently next came Bart Seely on horseback. In 1810 Conrad Teeter¹⁰ contracted with the Government to carry mail once a week from Sunbury to Painted Post via Athens. The Sixth Congress also established a mail route from the Hudson "by way of Kaatskill to Owego and Tioga Point." This was certainly a great advance for the whole region. Conrad Teeter was as enterprising as he was jovial. Beginning with a small one-horse wagon, he soon had a team, and by 1816 a four-horse conveyance, though from the start he always spoke of his "coach and four." He always reined up with a crack of the whip and a cheery salutation to the waiting crowd, eager for news. It is but a few months since we were told a story of this stage driver, which had been transmitted by word of mouth through five generations—for a hundred years!

The first stage at Owego was a *three-horse* lumber wagon with hickory poles bent to form a top, covered with canvas. In 1816 the stage route from Owego to Bath was opened, which ran twice a week by Athens, where it was advertised passengers would breakfast both ways, presumably at "Saltmarsh's public" (still standing at corner of Main and Tioga); as the advertisement says:

"Apply for seats at Saltmarsh's. Persons travelling from New York, or any of the Eastern states to the S. W. states will find this the shortest, cheapest, and most expeditious route. Good teams, careful drivers, good stage houses promised."

In the later days of stage coaching passengers often got out and walked across "the loop" at Factoryville, while the stage ran to Tioga Point. In our personal recollection the stages ran from the Erie road at Waverly to Towanda for some years, just previous to 1860. We well remember the great lumbering vehicle, painted red, with its windows, trunk rack behind, and, in pleasant weather, highly coveted seats with the driver. John Beaman was the last stage driver, a man as jovial and well to be remembered as the first driver, Conrad Teeter. The last stopping place of the stage in Athens was at the Exchange Hotel, and its arrival semi-daily was an event of great interest to the inquisitive landlord, and to the children across the way. Many of our best known

¹⁰ Conrad Teeter was a large, fat man of jovial disposition, and desirous of making a favorable impression on strangers. He drove *his own stage*. He took pleasure in pointing out *his* farms to the passengers, frequently claiming the finest ones along the way. If asked why he drove stage, would reply that he loved to rein four horses and drive, but had no taste for farming. There was certainly an exhilaration in seeing those great four-horse coaches rolling into town; the driver, proud of his steeds and proud of his skill, cracking his long whip, and sometimes blowing his horn. In those days the driver was an important personage, famed for his knowledge of people and places, and his fund of good yarns. As a repository of local history he was and is unequalled.

early inhabitants came in connection with the post routes,¹¹ viz.: the Saltmarshes, Justin Forbes and Ebenezer Backus. The Saltmarsh brothers ran the first stage to Ithaca, whither the route was extended from Wilkes-Barré in 1820. The lake regions were most anxious to be connected with the "post towns." "One could travel by stage to New York via Newburgh, a three days' painful journey"; and lines of coaches of excellent type were early established by parties in Elmira and Owego, Concord coaches and gaily caparisoned horses replacing the rude Jersey wagon of earlier days.

Our consideration of transportation would hardly be complete without some mention of the introduction and evolution of the carriage. The heavy ox-cart was followed by the gig, an almost springless two-wheeled vehicle much more an object of curiosity in 1860 than now, when it has been made familiar to us all in the two-wheeled cart. This was followed by the chaise or "shay." The first of these brought into the valley was by Col. Joseph Kingsbery at Sheshequin; it greatly excited the envy of his neighbors, who scornfully said, "The rich can ride in chaises, etc.!" Elisha Ely, father of Mrs. Abner Murray, 2nd, brought the first one to Owego. The carryall and Concord were the roomy family conveyances of later days.

The North Branch Canal.

The State of New York, under the wise administration of DeWitt Clinton, was the first to commence the great plan of "Internal Communication," but Pennsylvania was a close second. The completion of the Erie Canal, "*that important work which the eye of Washington foresaw and the talents of Clinton completed,*" gave an impulse to "the great cause of Internal Improvements." The Erie Canal opened up such commercial possibilities that Philadelphia capitalists were anxious to have a canal system for Pennsylvania. Commissioners were appointed by Legislature in 1824 to examine routes along the Susquehanna, anticipating a canal to the lake country. In 1825 meetings were held at various points, previous to the canal convention at Harrisburg, to discuss the subject and appoint delegates. *Thanks to Mr. Herrick*, extracts are here given from a letter hitherto unknown even to the family of the writer, which at the present day seems amusingly interesting. February 16, 1825, C. F. Welles, Sr., writes to his brother that he has been asked "to go to the Senate next fall," and mentions as a special inducement:

"A desire to make myself strong in the county by *leading the Canal Fever* (which you will snuff at) and I have made a fair beginning. You will see our proceedings. Herrick chn. Kingsbery and Welles! Secretaries. K—y has been trying to ride this horse, but is unhorsed. He talked a good deal about the Alleghany Coal (that we have nothing to do with) * * * he was on the off track & every body was disgusted. I took the smooth and pleasant course * * * made a round set speech of half an hour, (greatly to my own surprise) to a very attentive audience. My maiden speech. My subject was the entire deficiency of *Good iron* throughout New York, Vermont, Canada & Ohio (the Canal World). The superiority of Pennsylvania rock ore, of which we are finding numerous bodies in this county near Towanda. The entire deficiency of mineral coal throughout New

¹¹ In 1814 Samuel Ovenshire and Nathaniel Flower were appointed to carry mail from Athens to Newburgh, N. Y., via Ithaca, one round trip a week. The trip was made on horse back for three years, the men alternating. The money thus earned is said to have been the foundation of their fortunes.

York, Vermont & the whole region of the Lakes, & the geological reasons upon which it is concluded that none exists in that vast range of country. The certainty that America must manufacture. The probability that the West District of New York would manufacture for herself & the whole range of Lake Countries & Canada, (when severed from G. Britain) The certainty that the W. D. of N. Y. could do this at a secure advantage if she possessed coal at cheap rates when surrounding countries have it not. The certainty that at a very short period that country thro' manufactures etc. would possess a dense population like Europe. The certainty that natural supplies of wood must soon fail in a fertile & populous country. The fact that coal is more advantageous than wood for Arts & Manufactures even when wood is abundant. The fact that the coal of Towanda is the nearest body that the W. Dist can reach. That the iron of Towanda is the nearest of good quality also. And finally that from these facts the Towanda Iron Ore may be brought to immediate value, & that the Coal would when producible upon the Cayuga sell to the extent of 1000 tons & that the demand would increase until it would become sufficient to remove the Towanda mountains. It now sells for \$8 & 11 per ton tho' the credit of it has been hurt by some knaves who sold the coal slate to the Ithacans. The immediate sale for smiths on the lake and canal is estimated as certain at 1000 tons for the first year. Out of all these matters I made a set speech * * * & hope you will think there is really enough in it to prevent throwing cold water on the plan at Harrisburg—as enemies are eager to say that you will. All N Y (west of Cayuga) are for the Newtown route, it is certain that *one* will be opened & surely you will not injure the prospects of the route that leads to Tioga Point * * * Dewitt Clinton has said that he will personally examine the route next summer and we intend to invite him to examine the Towanda coal mines, and the track for an extension of the canal from State line to the mouth of Shrader branch 18 miles from Tioga Point. The Coal Mine Canal is my project & I am glad to see that H—k & K—y shake their heads at it * * * they dont see the length of their noses."

The enthusiastic young man did not receive the nomination, but was in attendance at Harrisburg when "the Great Canal Bill" was passed. To-day little is known of "Towanda Iron Ore;" and Barclay coal is not so highly prized. An effort was made at this time to have a canal from Tioga Point to Cayuga Lake.

"The Pennsylvania Canal Convention" was held at Harrisburg August 4-5-6, 1825, with delegates from each county; Judge Herrick, of Athens, represented Bradford. The canal system was decided to be a necessary improvement, and a beneficial investment for state resources. It was urged that all local projects ought to yield to this, and the people were earnestly recommended to direct their attention to this important subject before the next meeting of the Legislature.¹² In accordance with these resolutions, a "general improvement act" was passed, providing for a great canal system at a cost of \$40,000,000. Work was begun in 1827; the North Branch, from Nanticoke to the State line, was left to the last. State agents came through this locality, however, in 1827, and obtained many releases for right-of-way.¹³ Chief Engineer

¹² The "Proceedings of the Pennsylvania Canal Convention," now a very rare pamphlet, may be found in the Herrick Collection in Tioga Point Museum.

¹³ Among the Herrick papers was found a newspaper clipping, dated July, 1827, which indicates the sentiment of the common people. It is headed, "By request—Copy verbatim et literatim of a letter said to be found near Tioga Point—Brother Jorthum. The Indians are all come up to see bout the grate Karnall; think tha call it—some of um look playeg gentleel, they're going to make a grate gutter all along the river bank, sos bots and evry thing can go in it, but Kusen Slocum duzent like the looks of them yung fellars, and got mad tother day about the Karnall & sed he'd * * * never go down the river in such a nasty gutter as that would be—and he gess'd no Yankee boy wud as long as tha cud go on the river in haf the time in thare own way * * * tha sa unkle Sam duzent vera well like all this purade bout the Indianears Karnal and such like—he says it will make bundations of taxes, but we dont care about that, fater he pays all them. * * * Now Jorthum I want to know what you think of all this hear,—Tabitha."

Randall surveyed the route in 1830. The work in Bradford County progressed very slowly and was suspended in 1838.

"Public sentiment underwent a change; the canals had entailed a heavy debt, they had been a football among politicians and yielded little or no revenue."

At this period it was said that Governor Wolf always made the North Branch Canal a favorite measure, *when the vote of the North was wanted*, but always had a coterie of friends ready to vote against any measure for its advancement. In September, 1841, in his campaign for re-election, Governor Porter visited Athens to inspect the public works. He made a speech very flattering to the people, and said of the canal that he had "its completion very much at heart." The town felt that it had a great boom in sight. Building lots were plotted out by several parties, who advertised in glowing terms the advantages of their particular location on the completion of the canal. But the project continued to languish. Meetings to promote prompt legislation on the subject were held at Athens, Towanda and Tunkhannock at intervals soon after the Governor's visit; all in vain. Rumors were afloat that the Legislature proposed to sell all the public works in the State to pay the State debt.

"Jan 1, 1842 A convention was held at Towanda of citizens from Bradford, Luzerne, Susquehanna and Columbia. Resolved, That the President appoint a committee of forty whose duty it shall be to collect all possible statistical information touching the North Branch Extension, and embrace same in a memorial to present to Legislature * * * This can perhaps best be done by showing the resources of our Valley; whether of coal, iron, lumber or produce; and the probable markets for either; thereby conveying some idea of the vast amount of business which will be done to the great benefit of the State, when the canal shall have been finished, etc., etc.

GEORGE A. MIX, Chairman."

On the list of forty were Edward Herrick, Sr., Nathaniel Clapp, Lemuel S. Ellsworth and George H. Welles of Athens. We know of this only from papers of Judge Herrick.

"Improvement meetings" continued to be held in this county, where no benefit had yet been derived from the heavy taxation. The canal work was much injured by the severe flood of February, 1842. At this time Col. Foster was canal engineer, residing at Athens. In 1842 there were meetings to consider raising funds in the county to complete the work. Judge Herrick was one of the most active. The Legislature finally voted to incorporate the North Branch Canal Company, and put the work in their hands on certain conditions. The company failed to raise the necessary funds, and the Commonwealth again undertook the work about 1849; and after further suspensions, etc., it was practically completed in 1856, *twenty years in building*, twenty-two years after the inception. The annexed note is enlightening.¹⁴

To connect the North Branch Canal with the New York system, the Junction Canal from the State line to Elmira was projected in 1846, to be built by private enterprise; chiefly John Arnot of Elmira, Chas. F. Welles of Athens, Geo. M. Hollenback of Wilkes-Barré, and Judge Laporte of Towanda. Legislative permission was obtained in 1846 and

¹⁴ *Bradford Argus*, Aug. 28, 1852: "No tidings have as yet been received from the long looked for allotments on the North Branch Canal. The lettings took place some six weeks since. We are not surprised at the conduct of the Canal Board in this matter, for they have and will stoop to almost anything for the purpose of swindling the state." (The lettings took place July 22d.)

1853, at which later date ground was broken, and according to the *Elmira Advertiser* of March 21, 1854, "the meeting of the waters was effected the following Spring." Another enlightening note is appended in this connection.¹⁵ There was also a projected "Chenango Extension Canal," which, like the Junction Canal, was largely a project of Col. Welles, as enthusiastic a leader of the "Canal force" as his father had been thirty years before. Excavations were begun for this from east side of the Chemung pool and are visible to-day south of railroad embankment at east side of bridge. As the North Branch Canal approached completion, the construction was found very defective, due to political favoritism, careless engineers and lack of proper tools. The workmen were raw Irishmen, many having emigrated for the purpose. The canal was dug with pick and shovel, through loose soil and rocks near the river bank, all removed in wheelbarrows, to make the tow-path between canal and river. When the water was let in there was a heavy leakage, which created a strong current on the levels; the "ditch" would not fill. The banks frequently gave way, and when the river was low the matter was worse. At last David Rahm, an experienced canal builder, was brought from Catawissa. Land containing clay beds was purchased below Milan; a deeper ditch was dug next the tow-path and spread with clay. This was called "lining the canal" and was temporarily effective. The canal was designed for boats carrying 80 tons. There was a dam at Athens near the end of Harris Street, above which for two miles the canal was in the Chemung River, operated by slack water. Four locks were constructed, the *intake* at the dam, the *outlet* at head of Chemung narrows, the high lock, and at the junction near Tutelowtown the weigh lock, with a weigh master in attendance. This contained a cradle of heavy timber, in which the boat rested; the water was drawn off, and the boat lifted and weighed by an ingenious system of pulleys and weights.

In 1854 a canal boat yard was established over against the hill, west of town, by Joseph Burt and John Drake, house carpenters, who soon found there was more to boat building than they had thought. They engaged Jabez Stone, of Mansfield, who had long been at work for New York canals. Jabez was an expert, and the vicinity of the boat yard was long known as Stoneport. The first boat finished was the Colonel Clover, probably a passenger boat, called a "packet." In October of the same year Captain Wheaton Loomis brought a packet boat through the Junction Canal, intending to run between Elmira and Wilkes-Barré; but the canal was not in good enough shape. Therefore he ran the "St. Louis" from the end of Canal Street (now Elm) to Towanda; the trip occupied four hours. This passenger packet proved attractive and hurt the business of the daily stage, and in the winter of 1856 Jabez Stone built a light packet boat, called the *Gazelle*, solely for passengers. Its first trip was to carry Towanda firemen to Athens for a parade, July 4, 1856. Meals were served on board; it was practically

¹⁵ *Bradford Argus*, Sept. 4, 1852: "The stock of the Junction Canal having all been taken, it is now a matter of some interest to know what will be the excuse of Gov. Bigler for withholding the money for the North Branch. Contractors and laborers are complaining that their pay for some months past is still withheld, and we have heard of instances where they have had to stand enormous *shaves* in order to get money which should have been theirs long since."

an all-day trip, and great was the delight of the children if they could go to Towanda on the *Gazelle*; to duck heads at the bridges, even to fall in the raging canal was joy indeed. This boat was run by Means Watts and Syke Smith. Indeed it was at the instigation of Smith and Powell, owners of the stage route, that the *Gazelle* was built. They controlled the packet; the stage ran from Waverly to Stoneport, where both mail and passengers were transferred to the *Gazelle*. Loomis and his packet retired from business after some competition. Henceforth, until the abandonment of the canal, Stoneport was an active center of business. Freight rates were low, .90 from the mines to Athens per ton of coal. And not only coal, but all heavy freight was now brought to town, and country produce carried to the city markets by the canal. Jabez Stone, and after him his son P. J. Stone, built boats, and boats, and boats. Stoneport boasted a store-house, a canal grocery and a canal barn; and with the loading and unloading, coming and going, was a veritable hive of industry. The great flood of 1865 practically destroyed it and ruined the fortunes of the boat builders. Though somewhat restored with the help of the Canal Company, the flood of 1870 was again destructive. With that misfortune, and the coming of the railroad, Stoneport passed away.

In November, 1856, two boats laden with coal started from Pittston for Weston, New York. They had only half cargoes, and were drawn by double teams, but it was with great difficulty they reached their destination. However, the much longed for coal traffic had begun. July 14, 1858, five boatloads of coal left Pittston for Elmira, thence by Chemung Canal to Rochester, thence to Buffalo. There the coal was transferred to a steamboat, reaching Cleveland August 8th, the first cargo from Luzerne; it retailed at \$8.50 per ton. By the end of that year 38,000 tons had been shipped to New York State.

While there was considerable opposition to giving right-of-way for the canal, and some claims for various damages brought against the company; unquestionably the opening of "the ditch" for traffic was of inestimable benefit to not only this community, but all the inhabitants of the Susquehanna Valley.

In 1858 the Legislature sold some of the State Canals.¹⁶ The *Bradford Argus*, June 10, 1858, has the following paragraph relating to a company which was organized for the purpose of purchasing the *upper* North Branch division:

"It is with much pleasure that we are able to announce that this improvement (North Branch Canal) has been purchased by citizens of our own and adjoining counties. The purchase has been consummated, and the company has complete possession of the work from Northumberland to the State Line. The price paid the *Sunbury and Erie R. R. company* is \$1,500,000. The managers of the new North Branch Canal Company are G. M. Hollenback, John La Porte, G. F. Mason, H. M. Fuller, H. B. Wright, Col. Charles F. Welles Jr.; Col. Welles is President and Col. Hollenback is Treasurer of the company."

¹⁶ Act for Sale of Canals, approved April 21, 1858: "Provides for the sale of the Delaware division, lower and upper North Branch divisions, and Susquehanna division of the State Canals, to Sunbury & Erie R. R. Co. for \$3,500,000, sd. company to issue bonds to the amt. of \$7,000,000 @ 5 per cent.; also to keep canal open and in good repair, * * forbidding any excess of tolls over schedule of 1856."—

This company soon sold the portion below Wilkes-Barré, reserving 104 miles. Headquarters were at Athens, and the "canal office," now the house of Dr. Joachim, was erected in the southwest corner of Colonel Welles' house lot, and a private telegraph line was soon established from Athens to Waverly, the first in the region. The total tonnage for 1859 was 88,115; 1188 boats south, 1210 boats north; a goodly showing. Colonel Welles, who was the father of this latest scheme, remarked this year that he *wanted no better heritage for his children than his share in the North Branch Canal*. It was the most promising business of the locality.

It was in connection with canal traffic that Elm Street was opened through the property of Thomas R. and Eustace Davies. It was then called Canal Street. The dam, of course, formed a pool in which boats could lie, and at the period of greatest activity of the canal this pool often was full of boats. While Syke Smith and some others had drawn the Barclay coal to this region for blacksmiths' use, and indeed even as far as Ithaca, always by wagon, Thomas R. Davies claimed that he brought the first boat load of Barclay coal to Athens for sale here. In fact, he may be said to have established the first coal yard at the foot of Canal Street. The dam was so high that a chute was built on the eastern end to accommodate the lumbermen who were still running the river. It was one of the delights of our childhood to go over to the chute to see the rafts pass through. With the establishment of the railroad, rafting was abandoned, and a new era of traffic and transportation ensued, upon which in this volume we do not propose to trespass. We must, however, not neglect to mention the railroad project of 1841. In the *Athens Scribe* of August 6, 1841, we find an article headed "Tioga Point Rail-Road," a project which was evidently superseded by the Junction Canal. A charter was granted by Pennsylvania for this railroad, which was to connect the canal ending at Athens with the Erie railroad, then in process of construction. The route was surveyed four and one-fifth miles long, and all requisite maps and plans made by Ira Spalding, Esq., engineer. The proposed cost was \$30,000, and it was anticipated that it would be immediately built to connect the "Wyoming Coal Valley" with the interior of New York State. Indeed it was estimated that this would be the popular route to carry coal and iron to New York City. The article in the *Scribe* was copied from the *New York Courier*. We do not know what became of this project, as it is not mentioned in local history. We have also found among papers of Hon. Edward Herrick, in his handwriting, *undated*, a somewhat lengthy Ms. exploiting the great future of the "Athens and Ithaca railroad." The quotations in it indicate that it was written in 1841. We regret that we find no more data on this subject. The final transfer of the canal to a private corporation, with the ultimate idea of using the tow-path for a railroad bed, has sometimes been called a "steal from the State," since the canal had been built for *public use* with *public money*.

NOTE—We have neglected to state that the Erie Railroad, *as first projected*, was never completed on account of various technicalities. The section from Binghamton to Hornellsville was almost entirely constructed on piles, a flimsy affair, called "Stuart's pegs." From 1841 to 1848 the project languished; no doubt this was the reason of the failure to build the proposed railroads from Tioga Point. The first surveys and roadbeds were finally abandoned, but the road was completed and opened in 1851.



OLD PEWTER IN TIOGA POINT MUSEUM

CHAPTER XXI

PIONEER LIFE

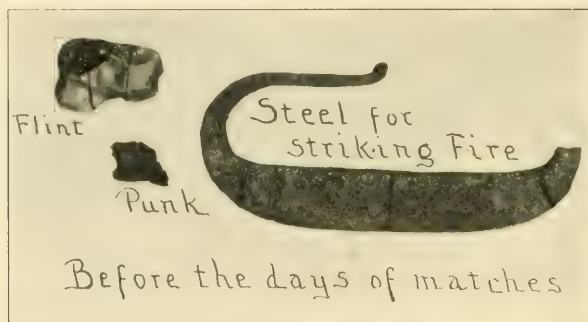
Homes of the Pioneers—Old-Time Sports—Hunting, Fishing—Social Entertainments—Early Industries—Distilleries—Sawmills—Grist Mills—Woolen Mills—Fires and Fire Companies

The children of the present day would be greatly astonished could they see into one of the homes of the pioneers. The house was made of logs, and such chinks as there were filled with mud. Lath and plaster were unknown, often oiled paper in place of glass for the windows, and a roof made of bark or hand-shaved shingles.

The floors were split logs, called "puncheons," doors were of heavy plank, stairways were unknown; the most primitive fashion of reaching the sleeping loft was by pegs driven in alternate walls at the corner, where the children soon became expert in going up hand over hand. Much of the furniture was homemade; for instance the one-legged bedstead. This was built in a corner by nailing two strips on the different walls, and where they met fastening one leg or support. Like all old bedsteads, this was corded up and supplied with well-filled ticks of straw or feathers. The small homemade table was supplied with slab benches, chairs being a luxury. The large families could seldom all eat at once for lack of space, and the younger children often fared poorly, having to wait. Pewter dishes were the rule, few of which are to be seen to-day except in museums. The light of the fire, augmented by pine knots, was considered sufficient; then came the "taller dip" candle, then lamps; whale oil, fluid, camphene, kerosene, not forgetting the curious lard lamps.

In later days the high post bed, with its companion, the trundle bed, was more common; the latter a low affair on casters, holding three to six of the small fry, was only in evidence at night, being trundled under the large one by day. Matches were unknown, and fire, if once lost,

had to be laboriously gained by the use of the flint and punk. Sometimes even that would not start a blaze in the chips, and some one would have to go to the neighbors, a mile or more, to *borrow fire*, there being



a special utensil for the purpose. The most primitive fireplace and chimney was the sort described by a pioneer of Troy, a neighboring town:

"Our fireplace was constructed as was common in those days with a chimney built of chestnut sticks split out of proper length & laid up cob house fashion & covered with a coat of clay. The fireplace was of a size to admit a large log 14 ft. long, by way of backing to a rousing fire not seen indoors in these degenerate times. This style of chimney was not the safest and was perhaps as expensive as stone would have been. On each side of the fireplace & within its limits was a large thornbush. One of these my older brother kept well adorned with venison; the other it was my duty and no great task to have pretty generally strung with mountain trout which in those days abounded in all the streams."

These early chimneys had sometimes a backing of stone, and a hearth laid with large flat stones that, perhaps, formed a large part of the floor. A hardwood stick was made fast across the chimney, called a "trammel pole," from which hung by a chain a trammel bar arranged to be raised or lowered for a kettle. Later the crane came in use, far easier for the housewife, who often had a family of ten or twelve to cook for, in front of the roaring fire of huge logs.¹ With a long-handled shovel she drew coals on the hearth for her spider, bake kettle, broiler or bake oven of tin. The cooking implements of those days are curious, indeed; a large collection is to be seen in Tioga Point Museum, as well as the old-fashioned copper friars, which, filled with glowing coals, gave a grateful warmth when thrust between the bed covers; and the small footstove generally carried to the meeting house to prevent frosted feet.

Old-Time Sports were the various kinds of hunting, shad fishing, the antics of general training day, the apple bees, quilting parties, spinning bees, etc.

A primitive form of hunting was called ring-hunting. Game, of course, was very plenty, and a small party would go out and set a ring

¹ Mr. Giles Hoyt tells how the big fires were built in severe weather: "With oxen and sled a large load of wood was drawn to the back door. The front door was directly opposite. Then the oxen were driven and hitched to a chain long enough to reach through the house and fasten to the largest log, which was thus drawn into the room, another for top in same fashion. Two short chunks butted against the logs served as andirons on which was placed the forestick. In a few hours the heat was intense."

of fire, leaving an opening where they would stand and shoot all the game that tried to escape. This method destroyed many trees, leaving the tops of the hills bare. Then there were the great hunts, well described in "Early Times," when a circle of men, several miles in extent, moved in regular order toward the center, driving before them the deer and other animals, and finally shooting them down; after this the animals were dressed and divided. Generally these events were ended by a grand hunt supper, sometimes held in Elm Cottage (at present Spring's Corners). Then there was the still hunting near the deer licks; a gun loaded with buckshot was set in a tree or crotched stick, trained on the lick. At night the hunter, hidden by a bush screen or in a tree, kept his finger on the trigger, and pulled it quickly when the deer was heard drinking. This often proved rare sport; indeed, "give a boy of those times a gun and a couple of bars of lead to run bullets, and he was a millionaire." There is many an interesting story told by the older boys of encounters with deer, bears and panthers. In time the deer learned that the sprouting grain was good to browse on and often were troublesome. The last deer-hunt was about 1852.

When the winters were severe the deer often came near the settlements and were fed with hay if it could be spared. On the other hand, in very early times, when the corn was all converted into whisky, it was often difficult to keep the cattle, and early in spring they were driven to the woods to browse on the starting buds.

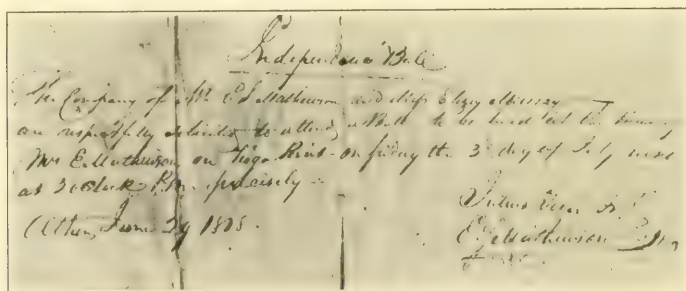
Fishing was also an enjoyable sport; the small streams were all full of trout, and pickerel also were plenty, looking for spring water; indeed, in the race across the Chemung the Snell boys often made pens of stakes, open at the lower end, and in a few hours they would be full of pickerel. There were also many bass in the rivers; but of course, the shad fishing was the most important. In fact, "shad fishing rights" were zealously guarded, bought, sold and leased, like real estate. There were a number of so-called "shad fisheries," besides the one near Milltown, mentioned in "Early Times." There was one at New Sheshequin, owned by "the first Fishing Company," managed by John Spalding; there was one at the Point; and one up the Chemung, controlled by Clement Paine. The season was evidently the entire month of May, beginning sometimes earlier. The shad generally came up the river as soon as it was clear of ice. They were always caught in nets; the early settlers using the brush nets of the Indians, and later those made of linen twine. They were caught by tens, hundreds, and even thousands, and were sometimes sold as low as \$3.00 per hundred. Next to venison they were the staple food, not only when fresh, but dried and salted for future use. Shad fishing time was a great joy to the boys, and one of busy pleasure and some fun to the men. New comers to this sport at the Point always had to undergo a so-called "initiation." On Queen Esther's Flats, opposite the Turn of Rocks, was a pond of fair size but very shallow, called "Lake Champlain." This the proposed victim was always told *he must swim across* to reach the fishery on the Point; a feat to be performed at night when deception was more easy, though shad fishing was often done at night. If unable to swim, like one poor fellow

from the back country, a rope was tied around him and he was dragged through Lake Champlain willy-nilly. There was no danger of cold from the wetting, as the first move for a fishing excursion was always the purchase of a gallon of whisky. In this instance the victim escaped and ran for home, announcing on the way that he had been "abused by Foster Wright and Foster Wrong, Abe Snell and the devil from h—l."

The race, already mentioned, was often full of fish, and Mrs. Abner Murray related that she frequently went down and *caught shad in her hands* in front of her home. Clement Paine exacted a daily account, in the season, of the number of shad caught on his right, varying from sixteen to three hundred and fifty. Shad fishing ceased about 1825, when dams were built in the river. In connection with the hunting, the coming of the flocks of wild pigeons was as important as in earlier days with the Indians. These flocks were so large that when they lighted tree branches often broke with their weight. The pigeons were caught *en masse* by means of large nets fastened to the ground and to spring poles.

The chief sport of the militia was the custom of trying to surprise their appointed leader in bed. The men would often rise before day-break and assemble at the house of the captain; for it was their privilege, if they caught him napping, to batter in his door and demand a treat of doughnuts and cider, and much merriment was the result. Lack of space prevents a more detailed recital of these sports and pastimes. Many gay dances were the order of the hour. Fiddlers were always plenty; Colton, Smith, Ross, Burns, Watkins, Forsythe, Gorham and others.

James Wilson said: "We got up a dance any afternoon, would go to Sheshequin, Chemung or may be some place in town, may be dance all night and stay for breakfast." But if it were a holiday the dancing often began in the morning, lasting through the day, or early in the afternoon, as shown in the accompanying invitation; and there are some



invitations in existence timed for 1 p. m. The round dance of the present was unknown, but the old time dance, with its circles, pigeon-wings and reels, was a most healthful amusement and wonderful to see. The spinning bees, where every maiden strove to outdo her mates, and the quilting parties generally ended with a dance, the young men coming in at supper time. When framed buildings were introduced it was under-

stood that all the men in the neighborhood joined in the raising bee, often a great sport, and always a contest of strength and skill. There is one instance remembered when the tired men were unable to raise a heavy beam, and the women quickly responded to the call for help. It was not unusual for the Tioga Point men to go as far as Painted Post to a raising. Halsey has well said that the progress of the frontiers rested for many years on the men who built the gristmills, the sawmills and the roads; the lumbermen, the weavers, the potash makers, and those who sent the rafts laden with produce down the rivers to large markets. Before the days of easy transportation local manufacturing was a necessity, and every community had its own fulling mills as well as gristmills, its own dye shops, hat factories, etc.

There was also the chopping, logging, burning, grubbing stumps and roots and many other tasks requiring hard labor, patience and energy. Let none fail to appreciate the deprivations, honest toil and energy of the pioneers.

Indeed, the struggle for existence was something impossible to understand to those of the present day, who, as a lady over ninety expresses it, are lazy because everything is done for them. "Why," she exclaimed, "I do believe before long they'll have a machine to put the food in their mouths." Halsey only mentions the *men*, but what of the *women*, who raised large families, for whom they not only cooked and did all household tasks *without conveniences*, but who hatched the flax, carded the wool and then spun, wove, knit, handsewed every garment in use by her family except footgear? That was made by the traveling shoemaker, whose work, like that of all traveling artisans, men or women, was called "whipping the cat." He would come once or twice a year, the leather having been provided, and stay until the entire family were equipped with shoes, which, however, were to be worn only when occasion or necessity demanded. Many is the tale, even of families of the better class, of carrying the shoes and stockings by hand to the outskirts of the town, where they were hastily donned, and much wear saved. The tailoress, who went from house to house in the same fashion, was considered a necessity when the families were large.

As for the larger industries of the men; the sawmills, grist mills and whisky stills, we will make extracts from a paper on the subject written by Giles M. Hoyt for the Historical Society at the request of the author:

"Of all the old time enterprises there were none that could exceed in number the distilleries. Not a town in the county but could boast of its full quota. Location mattered little, a good spring or well of water was all that was necessary, the buildings often mere hovels shingled with slabs. Within was an array of still tubs (large casks) which were partly filled with corn and rye meal, covered with water and fermented with yeast. The mash was then heated in a great caldron, the steam escaping into coils of pipe, and being condensed by cold water run in around them. The resulting liquor ran back into a vessel and was rectified by being passed through a cask filled with pulverized charcoal and gravel, leaving the completed beverage; a pure article, very different from the present ordinary whiskey of commerce."

Indeed, even when there were six whisky stills at Tioga Point, drunkenness was almost unknown, although liquor was freely used in

every household, and it was a lack of courtesy not to offer it, *even to the minister*. The terrific hand labor necessary in those days quickly worked off the fumes of liquor.

The first still on the Point was on Hepburn's property near the Susquehanna; the next, George Welles'; the most pretentious in appearance was Abner Murray's; it was two stories high, the distiller having rooms above, and was surmounted by what was said to be an imitation of the steeple of the first meeting house in town. There were also the Satterlee's, Spalding's, Greene's and Watkins'.

As for the saw mills, they were even more numerous. Mr. Hoyt indicates that to be due to the neglected ownership of the splendid native forests, proving a great temptation to many settlers, who fearlessly built mills along every creek to manufacture lumber not their own. Indeed, it was commonly said that shingles being always "legal tender," if a man needed to make purchases at the store, he walked quietly back into the forest and shaved a bunch of shingles, and no one asked him whence they came.² Mr. Hoyt thus describes the primitive saw mill:

"A small unpretentious structure, on one side of which, attached to the frame was a flume, that is a receptacle which when filled with water afforded power to drive the machinery. A wheel was placed at the bottom on the outside of the flume, made from a round log with buckets framed in a cast iron crank on one end, attached to which was a pitman rod, while the other end was made fast to the saw gate, doing away with gearing. Every revolution of the wheel produced one cut of the saw up and down. The capacity of those saws was about four thousand feet in twenty-four hours time. Farmers living in the vicinity of one of these mills, made it a point to fill up all spare time in the winter season cutting and hauling logs to the mill. That lumber when manufactured was of a superior quality, as clear and clean as a roll of modern creamery butter, and worth from five to seven dollars per thousand."

The saw mills were built on the small creeks, where the flow of water was periodical, but quickly utilized at flood times. There were three on Murray Creek, built by Noah Murray, his son, and his son-in-law Lemuel Gaylord, who was a resident from 1791 to 1816; they manufactured lumber from their own property. On Redington Creek there were eight between the river and the old J. K. Wright farm, and on Buck's Creek six or seven. East of the river Col. Franklin had a mill on Franklin Creek, Elisha Satterlee on Satterlee Creek, Thomas Park on Park Creek; and the Tozer brothers on Tutelow Creek, and McDuffee on west bank of Chemung. Steam saw mills were not introduced until 1860 or later. There were many of these mills in Smithfield township on the headwaters of Buck's Creek, and on Tom Jack Creek. In describing the manufacture, Mr. Hoyt neglected to say that in the primitive mill, when the log had passed up its length by water power, it was gigged back by the foot of the operator. The first grist mills were generally built near the rivers, where water power was available the year round. Mr. Hoyt thus describes the first Morley mill:

"About one mile south of Tioga Point, on the Chemung river stood one of those old fashioned grist mills owned and operated by Alvin Morley. The machinery consisted of two sets of burr stones, one of which was used expressly for mak-

² Mr. Hoyt tells of another class of men, Algerines as they were called, living in huts back in the mountains and gaining a livelihood by making shingles, axe helvcs, and splint brooms, bringing them into the settlements to exchange for flour, meal and meat.

ing wheat flour, while the other was calculated for coarse grain and feed. As the grain passed from the stone it was carried to the floor above by means of an elevator, to a bolt which separated flour from bran and middlings; thence through spouts to the ground floor into a receptacle called the meal chest. People living in the immediate vicinity did much of their milling on horseback; two or three bags of grain were laid upon the horse's back and a boy was mounted on top of the bags, and off to the mill they went. In the absence of the boy a girl was substituted. In the days referred to above, purchasing flour and meal at a grist mill or anywhere else was an unheard of occurrence."

Prince Bryant, as has been noted, had the first mill, to which John Shepard added the fulling or woolen mills and cloth dressing mills, where people sent their own yarn, as they would their grain.

Fires and Fire Companies.

The primitive fire company was really a fire line, for in response to wild cries passed along the street, the citizens hastened out and formed a long line from the fire to the nearest water supply, be it well, creek or river. Being supplied with all the available buckets or pails, water was passed along from hand to hand and often helped to save valuable property. Next the axe and the ladder came into requisition, and the oldest citizens say there was a time when Dana F. Park and 'Squire Baird constituted what may well be called the first Fire Department of Athens; indeed, so proud was Athens



THE FIRST FIRE COMPANY

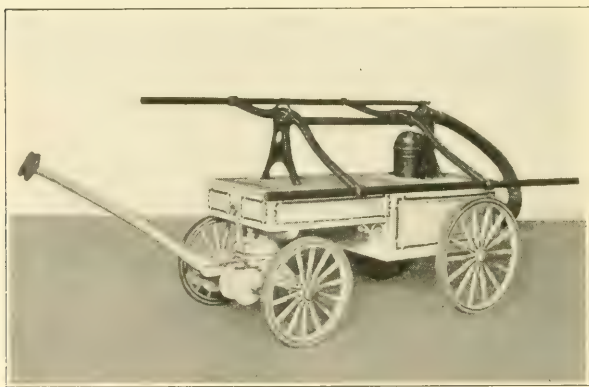
of this original company that it was photographed in somewhat recent years. It was thus described by a stranger:

"Dana is in the lead with his ladder and-ax, and Baird is carrying his bucket as though it was full of milk and he had on his Sunday clothes;—both stately, sure and determined with a "git there" expression on each face."

Doubtless the first suggestion of an organized fire company was made in the *Scribe* of 1842:

"Fire Company for Athens—Considering the materials of our buildings and their contiguity as well as the want of organized means to suppress fires, what say the citizens—young men especially—to effecting some kind of an organization. Shall we wait until we feel the necessity by some sweeping fire, or like wise men anticipate the evil by being prudent and prepared? FIRE! The citizens willing to consult upon measures to prevent the ravages of fire are requested to meet at C. S. Park's Thursday evening Dec. 1."

This meeting was called shortly after the old Academy was destroyed. But nothing came of it, as far as known, for it was not until 1855 that any action was taken. That year C. N. Shipman purchased for the protection of the Junction Iron Works a small fire engine that was on exhibition at a fair in Elmira. A fire company was at once organized among the foundry employees, and the following year it was decided to allow others to become members. Uniforms had been procured, and the laddies met and exercised with their new pet until, it is said, they all blistered their hands forcing the water through the 200 feet of rubber hose to the top of the works. Men from other shops were recruited, a hose jumper presented, and soon there was a complete borough fire company, to whom the engine was turned over. The first chief was Daniel P. Merriam, chosen, said the boys, "*because he was the heaviest man in the crowd, weighing 300 pounds, and was an Old School Presbyterian, who always stood up at prayers.*" It is said the next move was the first firemen's ball, a great event. In the following summer a parade seemed to be a positive necessity. The Glorious Fourth was chosen, and the new Towanda fire companies were invited to attend. They came on the very first boat that ran in the new canal. According to Brick Pomeroy's *Athens Gazette* of July 5, 1856, it was a great day, with new uniforms, banners, bands, parades, banquet, toasts, etc. Doubtless almost as great a day as Athens ever knew. The little hand engine has since known many vicissitudes, but is proudly preserved by Protection Hose Company, and it is here reproduced. It was first used a few days after the great celebration, when it proved inadequate to save Dr. Kiff's house and the Exchange outbuildings, but it has been useful in many village fires unnecessary to be enumerated.



THE FIRST FIRE ENGINE

CHAPTER XXII

SCHOOL AND CHURCH HISTORY

*School Lands—Early Schools—The Athens Academy
Church Organizations—Some Early Pastors*

With a true Puritan love of education, the members of the Susquehanna Company set apart school lands in every township, to be held sacred until the increased value warranted a sale; the avails whereof should be securely invested, and interest used for maintenance of public schools in said township. These lands were under the care of a committee, legally appointed by the Susquehanna Company for each township. After the adjustment of titles under the Compromise law, an act was passed providing for three trustees, to be elected by the people, one new one to succeed in office every three years. The school land set off in the grant of Athens, in 1786, was between Main Street and the Susquehanna River, from Herrick to Ferry Streets, containing about 21 acres, for which in 1812 the trustees received a state patent. Besides this public plot in the second division, there was a public lot (now occupied by Charles Hinton) in the first division, and one in the third division, on a part of which the school house at Greene's Landing now stands; this was long called "the commons," in true New England fashion. There was also in the original plot of Athens village the two lots now occupied by the Academy and the Museum-Library. As seen, both Lockhart and Welles ignored these latter lots, having a street from river to river about 50 feet wide, called in the Pumpelly survey Academy Street. Of these school or public lands the first trustees, to whom the patents were granted, were John Franklin, Elisha Satterlee and John Shepard. Franklin presented the claim to the commissioners in 1810; for reasons now unknown it was not acknowledged until two years later. It has been said that Henry Welles gave the public squares, but this is an error. They were never his to give, as they were a part of Richard Caton's third.

In 1813 a meeting was held of the proprietors of the town of Athens, the object being to consider the propriety of selling the town lands. The trustees, John Franklin, Elisha Satterlee and John Shepard, had obtained patents in 1812, and they were now authorized to sell one lot to Dr. Hopkins, and to lease another of about 23 acres, location not mentioned. The money thus obtained was used for school purposes.

In 1815 the trustees called a meeting of the inhabitants of the township, at which it was resolved to plot out the school lands; a street was to be laid out along the Susquehanna, and along the north line of the land, which extended from a line east and west near Herrick Street to Ferry Street, including all between Main Street and the Susquehanna River. Four acres were to be reserved in the center, and a strip four rods wide at north line; the remainder being divided into lots four rods wide, half

facing Main Street and half facing River Street. These to be sold at \$50 each; \$10 down, and remainder in ten yearly payments with interest; easy terms, indeed. The purchaser was to "clear and fence with a good lawful fence" within one year or forfeit the lot. The principal thus obtained was to be held intact, the interest only being used for school purposes. As soon as plotted, lots were sold to the amount of \$1257. The book of the trustees has no further record for nine years. According to later deeds and titles, it is our opinion that only three sales held; viz., that to Uriah Wilson, occupied by him and his heirs until a somewhat recent date; that to Isaac Boardman, and that to Michael R. Tharp, later transferred to the late Judge Herrick. In 1824 the trustees' records show some disagreement, of which there is no knowledge except the recorded resignation of David Paine, with these words:

"I have this day resigned all authority in me vested as trustee of public lands in the township of Athens, and all authority that may be deemed vested in me by any vote or votes heretofore passed by the people at their meetings in said town. I beg leave to recommend the trust to the fostering care of the mob who sanctioned the recent riotous proceedings in wantonly destroying the fences and cutting away the trees around the public grounds."

It surely would be interesting to know more about this quarrel. Probably, in the light of later events, *the people* considered that *the trustees* exceeded the privileges of their office. The next difficulty is indicated below:

(Henry Welles to C. F. Welles, April 9, 1829.)

"If you were here now it would probably be beneficial to you and us; a sort of clandestine sale of the Public Square west of the Academy has been made to Guy Tozer, a cellar has been dug, and all of us are in a commotion about it. It will, if confirmed, injure your property, as well as the convenience of the public generally. If Mr. Tozer could get one of those lots of yours, it might avert a quarrel, and he would give a good price."

In June, 1829, a meeting was called to vote on the action of trustees in selling "a lot on corner of the west public square" to Guy Tozer. The sale was rejected by a vote of 58 against 23. Supposing it to be a proper transaction, Guy Tozer had already erected a house and store on his purchase. A second meeting being called August 10th,

"It was resolved unanimously that the meeting wholly and totally disapprove of the sale by the trustees of the township, of the Public Common in the centre of the village. That the sd. common having been surveyed more than 40 years * * * and so appropriated from that time, cannot and shall not, without all proper legal resistance, be now converted to private use."

The acting trustees were removed from office and others chosen, on whom it was enjoined:

"Take prompt and efficient measures to remove all nuisances from the public square in this village on behalf of said township, which you as trustees may or can lawfully do or cause to be done, by suit or otherwise."

The outcome of this matter was that the buildings were removed, the present Canfield house being one, and the other shown in picture of Main Street. This action of the trustees and the people caused a great deal of feeling, existing until recent years.

In 1836 it was decided to cut up what remained of the upper lot and offer it for sale; the borough having been erected, a division of the

funds and the remaining lands seemed necessary. In 1837 a committee was appointed to make such a division, an act having now empowered the trustees to convey by deed any school lands except the Public Square in Athens borough. The report of this committee, after recommending how the debt on the Academy should be paid, suggested that the fund from sale of lands, also the lands remaining after sale, should be divided between the borough and township; the interest from the fund to be used for benefit of district schools. The whole recommendations of this committee were unanimously accepted. The township fund reached the sum of \$3000, and has been kept intact, the interest being annually paid to the school treasurer. We are indebted for these facts to the Walker Ms., the writer adding that the management of the *township fund* "completely carried out the injunctions of our forefathers."*

Schools of Athens.—The first school in Athens was no doubt the one which Chester Stephens attended (according to his "Recollections") in 1789. The teacher was Jared Root, who was one of the very first settlers of Athens, living on lot No. 1, just north of the Presbyterian Church. Chester Stephens says "Root taught in an old log cooper shop" (on the lot just north of the present Museum-Library). It may have been the house built by the Indians or by John Harris some years earlier. Z. F. Walker says Root's school was opened in the house of Samuel Hepburn, and that later the first school house was built on lot No. 35; now a part of the C. S. Maurice property. Mrs. Perkins says the first school house in the township was built on the school lot, about where the present high school building stands. No authority being given by either writer, the matter is undetermined. Benedict Satterlee, who had been a teacher at Wyoming, taught in the new school house in 1791. The second public school house of Athens was built at an early date on the west side of Main Street, on the second lot above the present Presbyterian Church. Nothing is known of the building of this school, but the land may have been given by Henry Welles. Public or district school was kept here from 1830 to 1840. The building was then removed to Elmira Street, near Bridge Street, and was long known as "the old red school house." It is still standing, having been converted into a dwelling house. In 1841 a public school house was built where the high school now stands; a small one-story building, in use until 1884, always called "the district school house." The first township school houses were in order as follows: One at Milltown, built probably about 1790; first teachers, Daniel and Elias Satterlee, brothers of Benedict and Col. Elisha. This was burned about 1808, but soon rebuilt by the generosity of Josiah Crocker; and also used for church purposes for many years. The next township school was built east of the river, on the farm of Col. Franklin, at a very early date (it is said 1792), rebuilt in 1815, and again in 1878; but still known as "the Franklin school

* Much sentiment was created in recent years when the *borough fund* was turned over with the Academy for graded school purposes to the borough school directors without giving the township its pro rata share of at least the fund.

house." The next was built, near 1800, on the commons near Greene's Eddy:

"It was a log house and the seats for all the small children were of split logs or slabs with wooden legs. Being hewn by hand these benches were very uncomfortable for the children, but woe betide them if they were restless, for the teacher stood at one end with a long gad and struck every one at once."

So related of Noah Murray, Jr., by Matilda Watkins, who attended in 1822. The first building was on the high ground now occupied by the Plummer homestead. The later building, long known as "the White Schoolhouse," is still in use for school and church purposes, located a few rods north of the original. Isaac Morley 3rd was the earliest known teacher. The Toodleytown school house, located as at present, was the next erected, probably about 1800. It is said there was a very early one near Spanish Hill, but there is no definite record of location or date.

Athens Academy.—Originally it was intended to reprint here the history of the Academy, compiled by one of its teachers, Mrs. Lydia Carner Park, and published in 1797 as a souvenir of the Centennial celebration. But so much of additional interest has been found, that it seems best to cull a more concise account from Mrs. Park's narrative.

The high-minded New Englanders were not long satisfied with the crude methods and accommodations of their early schools; and in spite of many vicissitudes and uncertainties, boldly decided to erect an academy. This may have been the thought of the settlers from Plainfield, Conn., long the home of a famous academy, or the suggestion of the Paine brothers, always zealous for the advancement of the little village. At any rate, a meeting was called at Matthewson's Red Tavern February 11, 1797, at which the following preamble, also the usual resolutions, were adopted; later *transcribed by Guy Maxwell* in a book of record still in existence in our Museum:

Preamble. "Whereas, It is the earnest wish of many of the inhabitants of this town that a public building should be erected, to be occupied for the accommodation of an Academy, or Seminary of learning for the instruction of youth, and also to be occasionally occupied as a place of Public Worship or other public purposes; and whereas, the erecting of such a building on Tioga Point, and making other public improvements would not only be of great use and convenience to the inhabitants, but would also have a tendency to advance the value of land and other property in the neighborhood of this place. The subscribers to this agreement do, therefore, mutually covenant and agree to form themselves into an association for the purpose aforesaid; to be subject to the following regulations."

The twelfth regulation was as follows:

"Twelfth. The building contemplated to be erected as aforesaid shall be built on one of the public lots in the township of Athens, on Tioga Point, and the construction thereof shall be as follows: it shall be forty-two feet in length, and twenty-four feet in width; and to consist of two stories, the height of the posts to be twenty-two feet. The second story shall be formed into one entire hall, to be arched and finished in a handsome manner; a chimney shall be built at each end; an elegant balcony shall be erected on the middle of the roof; and venetian blinds shall be made to all the windows of the first and second stories; and the said building shall in other respects be planned and constructed according to the judgment and discretion of the Trustees who shall be appointed as aforesaid."

A building fund was created by subscribing for shares, valued at \$30, to be paid in building material or cash instalments of \$10. The subscriptions were as follows:

"Noah Murray 1, Charles Bingham 2, Joseph Spalding 1, Levi Thayer 1, David Alexander 1, Nathan Thayer 1, John Shepard 2, David Paine 2, Joseph Hitchcock 1, Elisha Matthewson 1, Ira Stephens 1, Elisha Satterlee 1, Daniel Campbell 1, John Spalding 2, Nathan Bull 1, Clement Paine 2, Julius Tozer 1, Jonathan Harris 1, Joseph Farlin 1, Daniel Satterlee 1, Simon Spalding 1, John Jenkins 1, George Welles 1, John Franklin 1, Manton Rice 2, Stephens Hopkins 1."

The last five were added in 1801. The name was adopted of "THE ATHENS ACADEMICAL SOCIETY," and it was resolved to petition the Susquehanna Company for a grant of land to create an endowment fund; also the Legislature for grant of a lottery, funds from which were to pay "one or more able instructors." A committee was appointed to choose an eligible situation; they first chose lot No. 25, but it was not acceptable; and the frame was raised *in the year 1797*, where the Academy now stands. Many meetings were held for a while, and the frame was enclosed; and then, probably due to the commissioners' rejection of Athens, the whole project languished and the building was advertised for sale June, 1808, on long credit. However, it was not sold, and in July the New England spirit bestirred itself again. The records indicate that the building had been used as a grain storehouse, and thereby injured. This was ordered stopped, the building "repaired and painted," and there were a number of new subscriptions, John Shepard being the most liberal. Clement Paine was put in charge and assured of reimbursement. He wrote to his wife that he should not only repair, but "make an inclosure and place some of my Lombardy poplars and locusts about it," also that the proprietors intended to petition the Legislature for aid by lottery or otherwise. (These trees perished within the last twenty years. Others were set out in 1871 by C. M. Hunsiker, and many of the present elms and maples were set out in 1890 by George T. Ercanbrack and Millard P. Murray on both sides of the street.) The repairs cost \$140, and Mr. Paine took a mortgage on the building for the amount. It was not yet fitted for school purposes, and again the work languished. In 1811 the proprietors sold to the Masonic Lodge all rights to upper story, provided that they finish off said rooms and assume half of the mortgage. The Masons finished the room as an arched hall, according to original design, and occupied it until about 1835.

In 1813, armed with a petition from the Athens Academical Society, Henry Welles obtained the enactment from the "Assembly of the Commonwealth of Pennsylvania," which not only established the "Athens Academy," but appropriated \$2000, to be under the care of an incorporated body of trustees safely invested and *interest* applied to purposes of the institution:¹ Provided, that the present owners relinquish all right to the building forever; and that the Academy school four poor children gratis.

After some deliberation, the fund was loaned to Henry Welles at 7 per cent., he giving a judgment bond, which was found by the writer

¹ Clement Paine, being treasurer, wrote to Mr. Waterman and Orrin Day of Catskill, asking advice as to a safe and permanent stock for investment, mentioning that possibly another thousand would be added.

among Paine papers. Clement Paine's claim was adjusted, the property relinquished by original subscribers, and the people once more looked hopefully forward, after a wearisome waiting of sixteen years. The lower room was completed at a small cost, and the trustees began to look about for a preceptor. General Welles in January, 1814, wrote that he had found a young man at Harrisburg, who would come for a salary of \$500, and seemed well qualified, whereupon he was authorized to engage him. Tuition was fixed at \$2.50 a quarter, each scholar to furnish a due proportion of firewood; and the opening of the Athens Academy was advertised in the Wilkes-Barré and Towanda papers. The following letter was recently discovered among Henry Welles' papers:

"Sunbury March 29, 1814. Sir: I arrived in this place last evening on my way to Tioga—I expect to be detained here perhaps some days for want of conveyance to Wilkesberry. The carriage which I was expecting to go in from Harrisburg, arrived too soon to permit me to settle my business and go with it. At any rate I shall arrive in all probability at Tyoga in a week or nine days at the * * * You will have things in readiness for commencing the school at the farthest next Monday week. Yours with due respect, SYLVANUS GUERNSEY.

"P. S. You will excuse my brevity and scribbling when I tell you the post boy is waiting with impatience at my other elbow—

Mr. Henry Welles, Athens, Tyoga, ———"

It must be observed that the general appearance of the original letter does not indicate many qualifications expected in a teacher.

On Monday, April 25, 1814, school was opened; there is no record of number of scholars or studies pursued; but July 4th a visiting committee was appointed to examine the state of the school and progress of the scholars. Mr. Guernsey taught ten months and then asked for a discharge by reason of ill health. And now the Academy had its vicissitudes; a perfect kaleidoscope of preceptors followed, doubtless from difficulty in procuring funds. Interest in the progress of the institution was not wanting, however.²

May 27, 1817, the following advertisement appeared in the *Bradford Gazette*, Towanda:

"ATHENS ACADEMY.
(at Tioga Point, Pa.)

"The public are hereby respectfully informed that the summer term in the Athens Academy will commence on the twenty-first day of April. Terms of tuition for Latin, Greek and Mathematics will be, \$5. Geography with use of maps and globes 4-50, Rhetoric and Logic, \$4. English grammar and Punctuation, \$3-75. The students will also have frequent exercises in Oratory, composition

² July, 1815, Clement Paine started a subscription paper as follows:

"We the subscribers do hereby respectfully obligate ourselves to pay the sums affixed to our respective names; for the purpose of procuring proper *geographical maps* and a suitable *terrestrial globe* for the use of the Athens Academy: David Paine \$10, Clement Paine \$10, Edw. Herrick \$5, D. B. Tallmadge \$5, John Shepard \$5, Jeremiah Decker \$5, John F. Satterlee \$5, Mich. R. Tharp \$5, John Saltmarsh \$5."

These subscriptions were all paid, and in October four of Arrowsmith's Maps were purchased in New York for \$40, carriage, etc., pd. and \$10 reserved to purchase globe. This original subscription list has been preserved, also another, started in 1816, by Clement Paine:

"We the subscribers hereby agree to give and pay the sums by each of us annexed to our respective names; for the purpose of purchasing a suitable *bell* for the use of the Athens Academy. Nov. 28th, 1816."

This list may be seen in Academy Collection, \$80 was raised. For some unknown reason the bell was not purchased, or at least not hung until 1825, as attested by R. J. Jenks' bill for building "Belphey," providing bell rope, etc., September, 1825. For this the trustees gave Jenks an order on Col. Franklin, treasurer of Athens Bridge Company. The treasury must have been low, for on the back is written, "This order accepted. General Welles or Mr. Wm. Briggs, please to pay the above sum out of monies in your hands if any. J. FRANKLIN."

and history. It is anticipated, that the society library will soon be connected with the academy, for the improvement of scholars in Historical and miscellaneous knowledge. The location of this seminary is very eligible and pleasant. It stands on the west bank of the Susquehanna a few yards from the channel of the river, where the water glides sweetly along in a smooth still current a considerable distance, nearly opposite the building the river inbosoms a small island which with other rural prospects, meets the eye very agreeably. The salubrity of the air, conveniences for bathing and pleasure grounds for exercise, conspire not only to preserve the health of youth, but to exhilarate their spirits in prospecting their studies. Here likewise youth are secluded from scenes of riot and dissipation which are frequently to be met with in cities and other populous places. The preceptor is a graduate from Dartmouth university in New Hampshire. He is wishing to continue in the employment of instructing in the academical arts and sciences, and fitting young gentlemen for the universities. He considers it his indispensable duty not only to instruct youth in literature, but in the correct principles of morality and religion; and strenuously to injoin it upon them to observe a suitable decorum among their associates and in society. E. WELLINGTON, Preceptor.

"The undersigned, who have visited the school, feel themselves justified in asserting, that from what they have seen of the facility and correctness with which the young gentlemen and ladies have hitherto performed their recitations and the judicious method taken for their instruction, they will receive every advantage for becoming good proficient in the above mentioned branches. The school will be vacated twice in a year, in the month of March and September.

"Stephen Hopkins, David Paine, C. Paine, Michael R. Tharp, John Shepard, Henry Welles, Trustees."

Mr. Wellington only staid a year, but obtained some improvements in the building, and was followed by several in quick succession.

In 1820 it was determined to apply the state fund to aid in erection of the bridge over the Tioga River. The trustees accordingly subscribed for forty shares of bridge stock at \$50 each, the note of Henry Welles having expired. He wrote to the cashier of the Philadelphia Bank to arrange for cash, saying the call for payment was sudden and unexpected, and he could hardly meet it without assistance. He finally arranged to pay it by building the bridge. This use of the fund suspended interest for a season, and was considered unjustifiable; but existing letters show that even General Welles thought "best to let the Academy down and use the fund." The letters also say that there was a violent contention among the trustees as to whether they would hire any teacher or let the building for a common school. An effort was made in 1825 to partition the lower room for such purposes; whereupon Judge Herrick, Edward Overton and Clement Paine issued a vigorous and effectual protest. As funds were insufficient, it was resolved to make application to Legislature for permission to sell the school lands. Meanwhile, school was kept irregularly by various preceptors. Herrick, Overton and Hopkins were firm in their protest, and in 1827 a petition, with many signatures, was presented to the Court of Bradford County, suggesting breach of trust, and asking that the trustees be removed from office, etc. This was done, and a new board was appointed from the county, only three being from Tioga Point. The change inaugurated a new era. From that period the Academy knew regular preceptors. "Public Exercises," in which the students aired their oratorical powers, were a strong feature of the school and maintained general interest. The bridge stock was sold, and the fund once more let out at interest. In 1839, at the sug-

gestion of a progressive preceptor, C. A. Baldwin, mathematical, chemical and philosophical instruments were purchased,³ at a cost of \$250; an addition for laboratory purposes was built, and an assistant teacher employed at a salary of \$150. In 1840 J. G. Marvin became principal, with two assistants. The condition of the institution may be understood from the handbill issued at this time, which was preserved in a curious

Athens Academy.

The Trustees of this Institution would
respectfully inform the public, that they have re-opened their commodious
building for the reception of Students, under very auspicious circumstances,
being under the charge of the following teachers:

J. G. MARVIN, Principal.
E. C. MARVIN, Assistant.
Miss STEVENS, Teacher of music.

The beautiful and healthy location of the Academy, the morality and intelligence of the citizens, and the great facilities for acquiring an education, render it a situation well calculated to give satisfaction to the Patrons of the School.

Measures are being taken to procure
several hundred dollars' worth of Philosophical, Chemical and Astronomical
Apparatus, which will make the Institution one of the best in the country for
acquiring an intimate knowledge of the Natural Sciences.

The Academical Year will be divided into four Terms, of eleven weeks each.

Terms of Tuition.

Reading, Writing and Spelling,	\$1 50
Arithmetic, English Grammar and Geography,	2 50
Rhetoric, History, Logic, Mathematics and the Natural Sciences,	4 00
Latin, Greek, and the Modern Languages,	5 00
Music, extra charge.	

Board can be obtained from one dollar
and fifty cents to two dollars per week.

Students will be charged only at the
above rates in proportion to the time they attend. Suitable School Books
can be had in the village.

HORACE WILLISTON,	Trustees
EDWARD HERRICK,	
FRANCIS TYLER,	
N. CLAPP,	
GEO. V. PERRINE,	
EDWARD H. PERRINS,	
CHAS. COMSTOCK,	
GEO. H. WELLS,	
JUSTIN FORBES,	

Athens, August 10, 1840.

³Apparatus and Library. The Apparatus belonging to the Academy is new and sufficient to illustrate most of the subjects treated of in Natural Philosophy, Chemistry and Astronomy. Among the articles are a superior plate Electrical Machine, a complete Pneumatic and Magnetic Apparatus and Orrery and seventy or eighty Telescopic Views of the Planets, beautifully delineated upon glass slides, which are adapted to the Phantasmagoria Lantern. In connection with the above, is a Cabinet of about 400 specimens of Fossils and Minerals which are indispensable in Chemical and Geological explanations. Lectures with experiments will be given from time to time, which are designed to facilitate the progress of those students attending to the Natural Sciences. The Library contains 100 valuable works, which students have access to without any additional charge. No pains have been spared to make the Institution every way worthy of patronage.

manner; having been rolled up and used as a winder for lace edging in a little country store, where it lay nearly sixty years, and was found and presented to the Museum by Mrs. George Pendleton. Mr. Marvin gave great satisfaction; the following year two hundred pupils were enrolled and there were three assistants; the trustees appropriated \$100 for a school library, and a "Catalogue of the Teachers, Trustees & Students of Athens Academy" was published. The Academy now became justly celebrated as one of the best schools of the state,⁴ and its usefulness was largely increased by the expenditure of a general State appropriation "to promote useful knowledge, and encourage the Arts and Sciences." According to the catalogue, Latin, Greek, French, Spanish, Drawing and Painting were taught, besides usual branches. As to its equipment, see note 3, also copied from catalogue.

It was under J. G. Marvin's influence that the various societies mentioned in *Athens Scribe* flourished. The pupils issued the *Athenian*, a weekly paper printed by the *Scribe* press. Only two copies have been found, and those of little interest, although wondrous, indeed, were the youthful effusions. Some remembered are Samuel Parry's "Early History of Athens," Raymond Welles' "Epitome of the Progress of the United States," Pythagorette's "Aerial Adventure in an Elastometre," in 1941; Anna P. Warner's fanciful "Excursions," and many translations, "Scraps from the Greek," etc. Would we might read them! According to the *Scribe*, there were many new schemes for the advancement of the now famous institution, that were rudely dashed to the ground. For March 5, 1842, the Academy burned to the ground, accidentally set on fire by some boys, who, having had an unexpected ducking, repaired there, via the window, of a Saturday afternoon to dry themselves. The story has been often told by Isaac Le Doyt, *one of the boys*. Practically all the equipment was destroyed. A more pretentious building was at once planned at the instigation of the promoter of improvements, Charles B. Stuart; who drew the plans for a three-story brick building. But the aspirations of the people exceeded their means, and a less pretentious structure was soon planned "*at as cheap a rate as possible*." Horace Williston, Jr., and Harris W. Patrick were given charge, and by October, 1843, the present building was completed in the fashion shown in illustration. The interior was well and commodiously planned, and the Athens Academy continued to have an excellent reputation throughout Northern Pennsylvania and Southern New York. It was the pride of all the citizens, and stands restored to-day, a monument to the love and honor of former pupils, who trust it may be forever preserved. L. B. Pert was the first instructor in the new building. He was a fine teacher, and drew a large number of his former pupils to Athens. A printed program of one of his public exhibitions has been preserved.⁵

⁴ It attracted the attention of Col. W. B. Foster, a noted engineer, who was at this period often in the valley as one of the Canal Commissioners. He placed his young brother Stephen C. Foster, in the school, whose musical talents made him the life of the young society of the place, and his first musical composition was the "Tioga Waltz," written for a school entertainment, and dedicated to Frances, daughter of Henry Welles.

⁵ Athens Academy Exhibition, Wednesday, February 5th, 1845. Order of Exercises, Distribution of Schemes.

Music; Latin Oration, A. A. Brooks, Factoryville; Resistance of the Colonies, E. Whalen, Athens; Government, Wm. Ellsworth, Athens; Education, H. A. Kiff, Athens; Weehawken,



ATHENS ACADEMY, 1856

The school was evidently in a most prosperous condition under Jonas G. French, from 1851 to 1856. A pretentious catalogue was issued in 1854 of the officers and students; the instructors were Jonas G. French, Miss Mary A. Parry, Miss Sarah W. Huston and Rev. William G. French. Under these, students were prepared for college, and a teachers' class was formed; 218 pupils were enrolled. The different religious associations that held their meetings here were charged fifty cents a meeting, and required to furnish their own wood. The institution was generally prosperous and beloved by teachers, as well as scholars, as indicated by the various records preserved and sent to the Acad-

emy collection. The last year of Academy school was 1868; principal, Coe Mullock. The graded schools having been introduced, after due consideration the trustees of the Athens Academy transferred their right and title therein to the school directors of the borough, who used the building until completion of present High School building on the original school lands. The Academy centennial was appropriately celebrated August 11, 1897, six months later than date of organization, that all its lovers might return; four thousand people were present.

"It was the love of an old pupil for the Old Academy and the haunts and play grounds of his youth, that prompted the gift of the New Museum and Library, whose corner stone was laid on the day of the celebration. As the beautiful new edifice looks benignantly across at its ancient neighbor, so we trust new generations will hold in reverent esteem this old landmark of their fathers and care for it most tenderly—Dear Old Academy! What hosts of recollections cluster around it!—Joys, sorrows, noble aspirations, struggles and success, or failures and despair. Many have gone out from its classic halls to win wealth, position, fame and honor—but the greater number, life's lessons finished, have gone over the River, and are waiting for us in the Radiance beyond." (1897)

G. B. Perkins, Athens; Thrilling Eloquence, J. Thompson, Athens; The Guide Post, J. Hayden, Athens; National Glory, E. Hopkins, Athens; Sin, Satan & Death, E. Morgan, Athens; Success of the Gospel, J. H. Scott, Athens; The Toper's Address, R. Tozer, Athens; Pursuit of Knowledge, J. Whalen, Athens; The Chameleon, D. A. Overton, Athens; The Rubicon, C. M. Comstock, Athens; Greece, M. F. Kinney, Sheshequin; Colloquy; Eloquent Appeal, J. F. Satterlee, Athens; Cato, Wm. H. Parry, Waterloo; Sale of Bachelors, E. Spalding, Waverly; Mysteries of Being, G. A. Welles, Athens; Mysteries of Being, T. Pert, Spencer; Colloquy; Our Country, G. S. Bennett, Poultney; America, C. D. McDuffee, Athens; Pilgrims, A. A. Brooks, Factoryville; Preservation of the Church, A. A. Perry, Smithboro; Colloquy; Crockett Outdone, G. B. Perkins, Athens; Parhassins, G. W. Fish, Sheshequin; Rising Glory of America, F. A. Allen, Athens; The Last Day, J. H. Scott, Athens; Colloquy; Music.

(As we go to press, she who wrote the foregoing, the historian of the Academy, has joined the throng beyond, and we here pay tribute to one who long planned and promised to help us in our task; but heard the higher call, and only tarried long enough to give us much wise counsel; Lydia Carner (Park) of blessed memory as one of the foremost educators of Athens.)



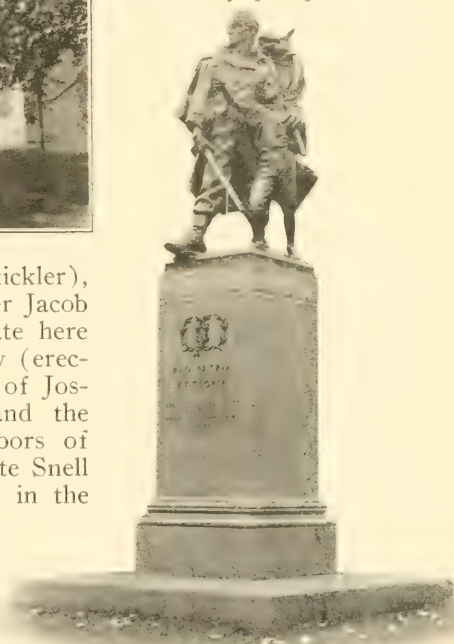
and his wife, Charlotte Snell (Stickler), a descendant of the pioneer settler Jacob Snell. It seems most appropriate here to introduce the Museum-Library (erected by Jesse Spalding, grandson of Joseph Spalding, the pioneer); and the Stickler monument, both neighbors of the old Academy, where Charlotte Snell and Jesse Spalding were pupils in the long ago.

Lack of space forbids more than a mention of the private schools, beginning with that of Jane Hopkins, about 1835; then Miss Purse, in 1845, and ending with that of Mrs. Lydia C. Park in 1895, who was a pupil of Miss Purse. No room for Miss Goodrich, the Misses Robb, Mrs. Paine, Mrs. Bradley, the Misses Smith and several others, some of whose schools were kept in extra session in the old Academy.

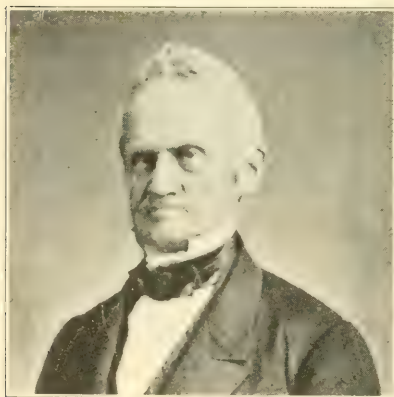
Church History.

It is on record that the region about Tioga Point was in a deplorable religious condition at the beginning of the nineteenth century. Sabbath desecration, profanity, horse racing, etc., abounded; wives were turned out of doors for attending religious meetings, and it was even boasted that an *orthodox* sermon had not been

Another recent gift to the town was prompted, like the one across the way, by love of old haunts and childhood memories; the soldiers' monument, erected by Joseph Stickler



preached there for years. Apparently the Universalist doctrines, widely spread by Noah Murray, did not elevate the community. So-called domestic missionaries sometimes held meetings in Tioga Point or vicinity in the first decade. In 1802 was formed the Massachusetts Baptist Missionary Society, "to promote knowledge of evangelical truth in the new settlements." Peter Philanthropos Root, one of the appointees, preached in Athens in July, 1805, and labored in the vicinity several months. In 1806 came Lorenzo Dow, "a queer looking Quakerish dressed traveler." He spoke at 'Squire Saltmarsh's, where, no doubt, he put up. His self-introduction was: "*My name is Lorenzo Dow,—my business is to save souls from hell—my credentials are these;*" holding up a Bible. The Methodists also sent traveling preachers through the new settlement, and the year 1807 was memorable on account of the visit of the Right Rev. Bishop Asbury, who was consecrated by John Wesley himself. He came down the river from the lake country to Mr. Light's (name unknown), east of Athens, where a camp meeting was in progress. There the bishop preached, and said afterward, "It may be I spoke to one thousand people." The next day, the Sabbath, he preached again to about double the number of first meeting. He produced a profound effect, and stirred the hearts of many people. Previous to 1800, it should have been stated, that Moses Park, an unordained Baptist preacher, was working in Sheshequin, but he was converted in 1793 in the famous discussion with Noah Murray, and thereafter preached universal salvation. Sheshequin and Athens became the Mecca of Universalism, at which the infidels rejoiced. This was about the condition of things in 1812. The next religious episode may be told by an extract from Dr. William Wisner's "Incidents in a Pastor's Life." When first licensed to preach (1811), Dr. Wisner was invited to a pastorate in



Western New York. He started on horseback to visit the place. On the first day the horse became so lame from calking himself that he was obliged to turn back; he says:

"There was a little village on the edge of Pennsylvania where there was no church and no preaching except that of two Universalist ministers; there had not been an orthodox sermon for more than three years. The missionaries shunned the place because the population were so inveterately Universalists that they would not hear them. As the writer had been called there while at the bar to try an ejectment case, he thought the novelty of hearing a lawyer preach would bring the people out, so he resolved to spend his unappropriated Sabbath there. Having no expectation of more than one service, he proposed to show in a single discourse the total depravity of the human heart."

He found the Academy crowded, was listened to with profound

attention, and was asked to hold a second service. He preached the following Sabbath, and a general revival followed. He urged the people to ask for aid from the missionary agency, but they insisted that he was the needed man, and thus, he says:

"By the laming of my horse I was sent to commence my labors among Universalists and infidels where it might be said with truth '*Satan's seat was.*'"

On July 8, 1812, the Congregational Church of Athens, with twenty-two members, was organized by Revs. Ard Hoyt, Joseph Wood and Manasseh M. York, a committee from the Luzerne Association, with which the church was at once connected. Dr. Wisner, called "an able theologian and debater," was "chosen standing moderator," at \$220 per annum,⁶ and occupied the pulpit until 1816. Services were held in the Academy until the erection of the first "meeting house." Dr. Wisner was greatly beloved and preached at Milltown school house, as well as at Athens. The next pastor was Rev. James Williamson, "mild and amiable," who continued irregularly until 1825. The church was now greatly enlarged, and in 1822 part of the members wished to adopt the Presbyterian form of government, a measure that roused opposition and resulted in compromise. Two ruling elders were elected to have direction of the spiritual affairs, and to be a court for the adjudication of matters pertaining to the spiritual interest of members who should desire a Presbyterian form. The elders were ordained, and the church adopted into the Susquehanna Presbytery. The church records from 1812 are still in existence, and are amusing as well as interesting, especially on account of the discipline exercised over members, young and old, and the humble public confessions of those who desecrated *Saturday night* by attending singing school.

There are differing records as to the pastors of this period; there seem to have been several; but no doubt it was under the pastorate of Isaac W. Platt that the "meeting house" was built; the first house of worship in Tioga Point. General Henry Welles gave "the lot, two cows which sold for \$27. and \$30. each." John F. Satterlee, an active member, also contributed largely or made generous loans, never fully repaid. This meeting house had the high pulpit, box stall pews with doors, and hanging gallery of the period, and in the course of time a bell and pipe organ.

Isaac W. Platt was a profound thinker and had great influence in the councils of the Presbyterian Church. It used to be said of him that "when he took his coat off no man could surpass him as a sermonizer."

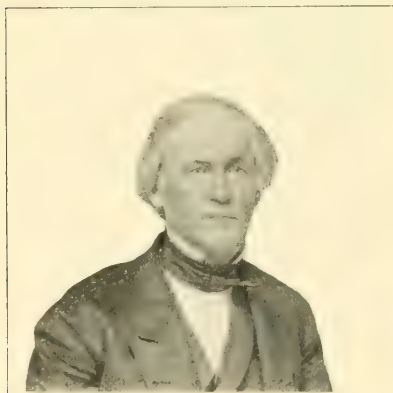
The Revs. Samuel Schaffer, Wm. C. Wisner, Jr., and Wm. M. Adams had short pastorates. In 1837 came Charles Chapin Corss, a graduate of Amherst and of Princeton Theological Seminary. Dr. Corss was a man of superior education, and was a distinct help to the little community in every way. Various acts of the General Assembly resulted in a rupture of the church, and the organization of two distinct bodies, the Old School Church and the New School Presbyterians. Having divided themselves, it was impossible to divide the church property, and the two

⁶ As this was insufficient, aid was afforded by the New Hampshire and Connecticut missionary societies.



Charles Chapin Corss
June 14, 1895

congregations resolved to use the meeting house alternately; one body worshipping in the morning, and the other in the afternoon, causing, said a devoted member, "much that was painful if not reproachful to the cause of religion." One body claimed the bell, the other the organ; each entered by separate doors. One body stood up in prayer, and the other knelt. Dr. Corss labored faithfully for the Old School, and strove to heal the schism,⁷ as doubtless did his successors. In 1841 came the Rev. Curtis Thurston, to preach for the New School. His daily diaries reveal some of the depressing effects of this foolish schism. In 1845 he writes:



REV. CURTIS THURSTON

"Congregation much as usual, all seem dead, myself among them." Most of the pastors preached in Milltown, as well as Athens, the New School being under the care of the Presbytery of Chemung. Both pastors bore heavy burdens, and the separate bodies grew more feeble. Dr. Corss left to minister to a Congregational church in Smithfield, and Rev. Curtis Thurston resigned from active pastoral work, although he spent his life in the valley; having married Julia Ann, daughter of John Spalding, and settled on the old home, where they lived and died. In 1858,

⁷ To both the pastors the schism seemed foolish, and when a layman, seeking knowledge, asked Mr. Thurston the difference, he replied that one was tweedle-dum, and one was tweedle-dee.

after much deliberation, the members of the two schools decided to unite as a Reformed Dutch Church. By request a committee from the Geneva Classis came to the village and reorganized the church as proposed July 20, 1858. The first pastor under this dispensation was Rev. Augustus F. Todd, the most energetic pastor the church has ever known. The meeting house was burned in 1861, and the pastor raised nearly all the funds necessary to build a much larger brick church in less than two years, which was dedicated in the fall of 1863. Thus passed the quaint old church of early days, with its melodious organ, often supplemented by Mr. McGeorge's bass viol; its queer pews, and the red silk bags on long sticks for the collection. In the course of time the church became again Presbyterian, and has to-day its third edifice; the second, like the first, having been destroyed by fire. In the summer of 1868 Dr. Wisner, the original pastor, aged ninety, revisited the church, and refusing to preach, yet stood upon the platform and told the story of his first Sunday, and of the organization of the church.

While Methodist preaching had been comparatively frequent at Athens, especially that of Seth Williston, brother of Hon. Horace Williston, a class was not formed until 1832, after which the circuit preachers had regular appointments at the Academy. The first members were Rhoda, wife of John Saltmarsh, and Cornelius Harsh. In 1834 the class was reinforced by the coming from Sheshequin of Chester Park⁹ and his wife to reside in the village, where they spent the remainder of their lives, faithful and devoted members of their church. In 1838 Mr. Park received the following license:

"This is to authorize Chester Park to Exhort in the Methodist E. Church so long as his doctrine and practice agree with the gospel of Christ, and Discipline of said Church—By order of the Quarterly Conference held at Barton 11 Aug. 1838. H. Agard P. E."

George Shippy was the earliest class leader in the village. The Academy was occupied as a place of worship until it was burned, when the society became incorporated and built a commodious wooden meeting house on Chemung Street, which was burned in 1852. The incorporators were Chester Park, Wm. Norton, Elias Mathewson, C. M. Harsh, and others. The second edifice was of brick, erected in 1853, on the old site. In place of a bell the congregation was called to assemble by a large iron triangle, struck with a rod, a most musical sound. This church was famed for its sweeping revivals never to be forgotten. Chester Park was the most prominent leader throughout his long life, and his godly teachings led his daughter Myra to go as a missionary to foreign lands.

While Moses and Amos Park, brothers, both were licensed to preach the Baptist doctrines, they were not ordained. Yet from their settlement in 1792 they held meetings along the river. When both de-

⁹ Chester Park, b. 20th Jan., 1802, d. 1881, was the son of Rev. Moses Park, a native of Preston, Ct., ancestry unknown, who early settled at Sheshequin and married Mary, dau. of Simon Spalding, and had eleven children, nearly all of whom lived and died in this vicinity. Chester was reared in Sheshequin and educated in the common schools and the Academy. He m. Lemira, dau. of Jabez Fish (b. in Wilkes-Barré 25th July, 1803), and had Dana F., who lived and died in Athens, a reputable merchant and a highly respected citizen; Harriet, m. Charles E. Johnson; Horace Agard, who lived and died in Patterson; Lemira A., m. Rev. C. C. Tracy; and Mary, m. Charles Greer.

fected from the faith the spirit was not dead. The first known Christian preachers in the Valley were the chaplains with Sullivan's army, Rogers and Gano, *both Baptists*, the latter one of the most forceful preachers of his day. The two Smith brothers, Lockwood and Joseph, living in Old Ulster, were ardent Baptists and were promoters of the truth even down to old age. Their homes were very fastnesses of prayer, and both the Smithfield and the "Ulster and Athens" churches were started by these brothers. The latter was organized at Milltown in 1825. The Baptist meeting house at Athens was built in 1845 on the present lot, which was presented by Judge Herrick. Levi Morse was the first pastor, an energetic one, and his successor, Elder King, is still remembered by the older residents. Previous to 1845 the Baptists worshipped at Milltown.

The Universalist stronghold was in Sheshequin, and there was no regular organization here until 1851, at which time they erected the present church edifice. Until recent years this church has not held regular meetings, and at one time the edifice was rented and used by the Episcopalians.

The few early Roman Catholics in the settlement went to Wilkes-Barré for mass and confession, or were visited by the missionaries, Father Clancy and Father Fitzsimmons. With the building of the canal Irish emigrants poured into the country, and various priests worked among them. The first Catholic Church in Athens was built in 1855 by Father O'Hern, and ministered to by the pastor of the district, having no priest in residence until 1868.

In the early days of the circuit riders the Methodists were very strict, especially about dress, as is intimated in following story:

"When I was a boy I went to Quarterly meeting—the school house (Milan) had two front doors. Mr. Bowman stood at one, and Simon Harvey at the other—the women all wore shawls and long bonnets,—every woman's shawl was pulled open, no jewelry or ribbons were admitted; a ribbon one inch wide for a bonnet string must be removed."

Such discipline might be very wholesome at the present time. The ardent Methodist meetings superseded the Baptists' in Milan, wild young men becoming powerful exhorters. "Aunt Sally Platt was class leader—she was firm as Gibraltar." Some other women were "hosts in prayer," and one man is now remembered as a "perfect cyclone in prayer." These meetings continued until 1855 and gave the road to Milan the name of "Christian Street." Ezekiel Curry was famed as a local preacher.

An interesting religious episode in the forties was the visit of the brother of Mrs. William Parry, Rev. Evans Jones, long a missionary among the Cherokee Indians in Tennessee and Arkansas. He was accompanied by four Indians: Peg, Lewis, Oganiah and Mr. Downing, so-called. They remained several days and held a service in the Presbyterian meeting house, in which the Indians took an active part. Doubtless this was the first missionary meeting ever held in Athens.

Protestant Episcopal.—Organization of Trinity Church, as recorded in the *Scribe*, August 3, 1842:

"By the annexed communication it will be seen a chapel is to be erected speedily for the use of a congregation of the Episcopal persuasion. *Another*

house where families can obtain seats is needed here, and might be well filled. The site selected is on the bank of the river south side of Chemung St."

"At a meeting held at the Academy on Monday evening Aug. 1 for the purpose of organizing a Protestant Episcopal Church to be called 'Trinity Church of Athens Pa.,' the following were elected vestrymen, viz. C. Comstock, W. Kendall, C. B. Stuart and E. Wheeler of Athens; and J. G. French, Thos. Yates and E. J. Glover of Factoryville. At the first meeting of the vestry, the Rev. Geo. P. Hopkins was chosen Rector for ensuing year, and C. B. Stuart and E. Wheeler Church Wardens. Until completion of Church edifice public worship will be held in the Academy Rooms, N. corner of Main and Chemung streets every Sunday at 10.30 A. M., and at the district school house in Factoryville at 5 P. M. Persons wishing to rent slips for coming year in the church, are requested to give early notice to one of the Wardens."

The next notice says that worship will be in Miss Paine's school room. The little chapel was completed in November, being built by the instrumentality of C. B. Stuart, and by the generosity of the family of General Welles. For it was said of it: "The church belonged to the Welleses, although they did not belong to it." The annexed notices from the *Scribe* show the generous spirit of other denominations.⁸ This edifice was burned in 1852, and the present Stone Church, built in 1861, largely due to the efforts of Rev. J. McAlpin Harding. The early rectors, Watson, Marple, Smith and French, were supported by the missionary society of Grace Church, Philadelphia. The most effective work in the early parish was under the Rev. William G. French.

⁸ "Sacred Concert.—A concert of vocal and instrumental music will be given at the Presbyterian Meeting house, for the purpose of aid in procuring an organ for Trinity Church, which can be recommended as worth attending. A well-sounding organ was lately put in the meeting house, which will be used. * * The design of the concert none can object to." * * The sleighing being poor, the concert was not well attended, and a second was advertised for February 19th, in which it was advertised: "The duets will be accompanied with a Piano, Solos with guitar, and full choir with the organ." This program was evidently too frivolous for the Presbyterian elders, and the concert was indefinitely postponed. However, a pipe organ was installed in Trinity Church, Towanda ladies giving an entertainment to raise funds.

CHARTER XXIII

EARLY PROFESSIONAL MEN

*Early Lawyers—Early Physicians—Rural Amity Lodge, No. 70
Early Newspapers.*

It has already been noted that William Prentice¹ was the first lawyer at Tioga Point. He was a native of New London, where he was admitted to the bar; he followed his father to this country in 1798, and settled at Athens the following year. He was the first postmaster as well as first lawyer of the village. "He was a young man of good talents and fine personal appearance; he wore his hair braided, hanging on his shoulders," a custom of the time. He died suddenly with the prevalent fever in 1806. He practiced in the Lycoming County courts during his residence at the Point, and was admitted to the bar in Luzerne County at the November session of 1799, being then thirty-four years old. Craft says, "he was the first full-fledged attorney in what is now Bradford County."

Alphonso C. Stuart is generally given as the first, but that is because he came first after the organization of the county. The following letter has never before been published:

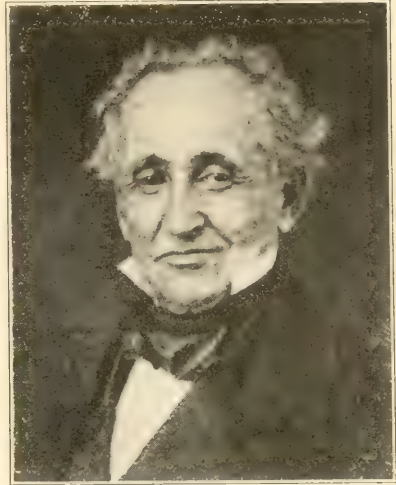
"Wilkes-Barre June 1, 1812—Dear Sir—I take the liberty of introducing to your acquaintance Mr. Alphonso C. Stuart, a gentleman who purposes taking up his residence at Athens for the purpose of practising the law in the new counties. Mr. Stuart brings with him excellent recommendations from gentlemen of the first respectability in Reading, as a gentleman of education, talents and character, and from his deportment here I have no hesitation in introducing him as such to you. By introducing him to proper characters and paying attention to him, you will confer a favor on sir, your Democratic fellow citizen, Samuel Maffet—to Henry Welles Esq."

Mr. Stuart came and purchased the Miller lot next north of library, which he occupied for a few years, and married the widow of Johnson Miller; going West about 1815. Little is known of him further than that he was a bright young man, who came to an untimely death. The next lawyer was C. F. Welles, already mentioned; the next was Hon. Edward Herrick,² whose portrait is here presented. In those days the

¹ William Prentice was the son of Dr. Amos Prentice, who came from New London, Conn., and settled at Milltown in 1797. Amos m. Annie, the daughter of Rev. Mr. Owen, and they had six children; the three daughters married Dan Elwell, John Spalding and J. F. Satterlee; one son lived at Sag Harbor, and one was a tanner at Milltown. Dorothy Prentice, sister of the doctor, m. Isaac Shepard in Connt. The pioneer, John Shepard, was their son.

² Edward Herrick, b. at Amenia, N. Y., Oct. 26, 1787, was the son of Samuel, son of Rufus, son of Edward, son of Stephen, son of Ephraim, son of Henry, the first American progenitor, who was born in Leicestershire, England, and came to America in 1629, being one of the famous Massachusetts Bay Colony, settling at Salem, whence the family at last migrated to New York, Ohio and Pennsylvania. The family history is of great interest, and may be found in Craft's "History of Bradford County." Edward Herrick studied law at Poughkeepsie, and was admitted to the bar in Ohio, where he not only practised, but was made district attorney for three counties, a member of the Legislature, and Colonel of a militia regiment at the time of the War of 1812. He was an ardent patriot and tried to organize the whole legislative body into a company for the defense of the frontiers. After his settlement in Athens he was made Brigade Inspector for five counties. In 1818 Governor Findlay appointed him Judge of the 13th Judicial District, also five counties, immediately following those eminent jurists, Gibson and Burnside. That he was qualified to be their successor is shown by the fact that he remained on the bench twenty-one years, at which period, 1839, the new constitution

lawyer not only had to be versatile, but as judge was obliged to ride the circuit, holding court in various parts of the district, which comprised Tioga, Bradford and Susquehanna counties, which was done by both Judge Herrick and Judge Williston.

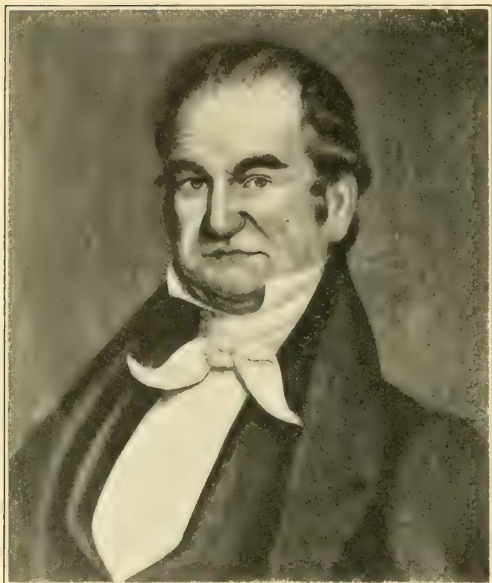


Edward Herrick

Edward Overton, later of Towanda, lived and practised at Athens from 1813 to 1816. Horace Williston³ was probably the next resident lawyer, and doubtless heard of Tioga Point from his talented brother, Rev. Seth Williston, who frequently preached at Athens. Yet he had been some time in this vicinity, as he studied law with Vincent Matthews of Elmira, and had practised at Chenango Point (Binghamton) for several years before coming to Athens. He was a power for good in the community, as he was not only a just and careful lawyer, but an active and earnest Christian. He was unwilling to take a case unless he knew it could be proven as in the right. An old diary records his death, add-

limited the judicial tenure. A tribute from Tioga County may not be amiss here: "Edward Herrick was not quite thirty-one when in 1818 he came to hold court in this part of the district. * * * If immediate public advancement is a trustworthy evidence of capacity, Judge Herrick was a man of ability as well as of early maturity. He was an example of well-appointed talents, probity and prudence." He was ever alive to the advancement of his town and State; was a delegate to the Canal Convention in 1825, and strongly urged the building of the proposed canals. He accumulated a handsome independence, and invested all in the vicinity of the growing village, where he lived in peaceful retirement until eighty-seven years old. The tall, stately old man, often seen on the streets, and a prominent figure in the church, is still well remembered. His character and appearance have been well portrayed by two of his friends and contemporaries, Gen. Horace Williston and William F. Warner. "In person he was above the ordinary stature, graceful in carriage, and in age as in youth, a model of comeliness and dignity. His bearing bore the traces of that peculiar discipline to mind and manners which comes of a temperate habit, and an intelligent will, animated by earnest principle. * * * Of him, with all his worldly honors, his spotless life, and manly virtues, his talents of head and heart, it may be said as justly as it was ever said of mortal man, '*He bore without abuse the grand old name of gentleman.*'"—H. W. "It is not probable that Judge Herrick and King Louis Philippe ever met, therefore it cannot be said that one copied the manners of the other; yet in manners and in general appearance there was a striking resemblance. Dignity of deportment was a marked characteristic of each; and it was not assumed, it reposed upon them like a well fitting garment, but unlike a garment it could not be laid aside."—W. F. W. His retirement from the bench closed his active professional life, from that period he chose to live among his books and his children in the beautiful home close by the Susquehanna. Judge Herrick was thrice married, and had six children, but one of whom is now living, Edmond Per Lee, a namesake of a Huguenot ancestor. His older sons, Hopkins and Curran, married, lived and died in Athens, and some of the descendants still occupy the homestead. Most of his portraits are austere in their dignity, therefore we have chosen to reproduce one showing the genial side, which we well remember.

³ The origin of the Williston family is unknown to the writer. Judge Horace Williston, b. in Suffield, Conn., 31st May, 1783; 8th Jan., 1809, m. Hannah Parsons, b. 13th June, 1779, at Richmond, Mass. They had nine children; Rhoda, George, Horace, Lorenzo, Eliza, Hannah, Clarissa, Lorraine and John; the three latter b. at Athens. All grew to maturity, except Hannah, and all but George, Lorenzo and Clarissa lived and died in Athens, though there is now no descendant there. Judge Williston d. at Athens, Aug. 14th, 1855. No family was ever more admired and regretted than that of Judge Williston. The portrait given was painted from life about 1840. As it was not well executed, the family relegated it to the attic, where it lay unheeded for about fifty years. Being then unearthed, it was found time had mellowed and improved it, and it is now highly treasured. It is reproduced by the courtesy of a granddaughter, Mary Williston (Stockbridge), daughter of John S. Williston, who was an active citizen of Athens most of his life. He and his family were the last Williston residents in the old home.



Horace Williston

right judge. He bore a striking resemblance to North of the Edinburg Review."

Many young men studied law with Judge Williston, one of whom, his own son Lorenzo, inherited his father's talents and integrity and was admitted to the bar before he was twenty-two. He was United States

ing, "the community has lost an honest lawyer." In 1849 he was made President Judge of the district, but held the office for only two years on account of the "elective judiciary act." However, he had an extensive business, as evidenced by the fact that he did not miss a sitting of the Supreme Court for more than twenty years. At his death, in 1855, the Bar of Bradford, in a special meeting, paid a high tribute to his character as a lawyer and a citizen, as did also several friends in various newspapers. He was thus described by W. F. Warner:

"Judge Horace Williston with his leonine look, flowing brown hair and heavy features was a man of fine intellect, a sound lawyer and an able up-



JUDGE WILLISTON'S HOMESTEAD, 1825

Judge for Dakota, and of him it was said "he was a lawyer by intuition, he took a broad, liberal view of the law and seized at once the equities of the case and the legal principles involved." About 1825 Horace Williston built the fine old house, still standing, which was a family home for over eighty years. It was surrounded by ample grounds, which were planted with trees, shrubs and flowers of every sort. The Williston garden until very recent years was the most charming and labyrinthine tangle one could imagine. Many children of the village loved to visit it, and never came away empty handed; for the Judge's daughters, who for long years lived in the home-stead, were bountiful in their gifts, and seemed themselves a very part and parcel of the garden's mystery and beauty.



WILLIAM ELWELL

Old Athens can boast of three judges, as it was the birthplace of William Elwell, the son of Dan Elwell^{3*} of Milltown, who married a daughter of Dr. Amos Prentice. He was educated at the Academy, was a teacher for some years; then studied law with Judge Williston, and practised for thirty years in the northern counties. He was elected President Judge of the 26th Judicial District for three successive terms, served twenty-five years, and resigned at the age of eighty. Edward Elwell, his brother, was also a prominent lawyer and judge in Wisconsin.

These annals would not be complete without some mention of Henry C. Baird. He was born at Huntington, Conn., July 7, 1820, the youngest of eight children of Samuel Beard, a pioneer of Connecticut. Both of his grandfathers were Revolutionary soldiers. When he was a boy his parents moved to Chenango County, and also lived for a while at Tioga Point and Troy. He studied law with his brother and then with H. W. Patrick, and practised in Athens and the county courts for nearly fifty years. He won high rank as a lawyer, and was considered an expert on land titles. He always declined to act if the suit involved manipulations to warp the cause of justice. He was so prominent in the affairs of Athens that an Elmira paper wondered "*if there was more than one*

^{3*} Dan Elwell settled in Milltown about 1797 and resided there nearly fifty years, although his last days were spent in the home of a daughter at Van Etten. He married a daughter of Dr. Prentice, one of three sisters; sterling women, who as Mrs. Elwell, Mrs. Satterlee and Mrs. Spalding, left their impress on the community; not only by their noble lives, but by their discipline and influence with their sons and daughters.

The Elwells had nine children; John, Nancy, Prentice, William, Evert, King, Edward, Phoebe and Julia, closely connected with the early days of Tioga Point. William or Judge Elwell was twice married and had several children, one son, Ephraim, still residing in Towanda. Judge Elwell removed to Bloomsburg, Pa., after his first appointment, and continued in residence there until his death.



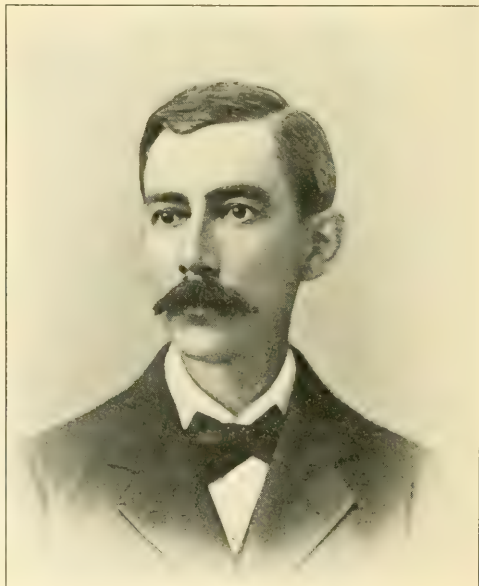
HENRY C. BAIRD

and Hugh Tyler, son of Francis, were admitted to the bar in the 40's, and practised at Athens. George O. Welles was also active in the town, erecting buildings, etc., and was a prominent member of the Presbyterian Church. His home was on the plains, near Hayden's Corner. He and his family were highly regarded by all residents of that time. About 1850 he left Athens and removed to West Virginia, where his son, George A. Welles (well remembered by the older boys), now resides. Hugh Tyler was a brilliant young man, who died before his prime. N. M. Stevens, a temporary resident, was a lawyer of this period.

There seems no more appropriate place to introduce Edward Herrick, Jr., who, though much younger in generation, was one of the lawyers of Athens. He is included in our portraiture as a tribute to his work in rescuing from destruction so much that has proved most valuable to the history of the town. He was the son of Castle Hopkins

person in Athens, for Squire Baird marries everybody, buries everybody, collects all the tolls on the canal, and handles all the mail." He was one of the most genial men ever known in the town, replete with history, and bubbling over with wit. The little picture of the bright eyed young man is from a group photograph in the Tioga Point Museum. We greatly regret that he did not put on paper, as promised, his most interesting recollections. At his death he was the oldest practising attorney in Bradford County, a position now held by an old Athens resident, Isaac N. Evans. (See note on page 574.)

George O. Welles, son of Ashbel; James H. Welles, son of Henry;



Edward Herrick.

Herrick and Rachel Herrick; born at Athens, 1841; died at Washington, D. C., February 21, 1890. He studied law at Albany, N. Y., also at Lockhaven under Richard Peale, and was admitted to the bar in 1866, practising in Bradford County courts until 1880. He then had an appointment under the state and later under the National government. He was a natural antiquarian, and made considerable preparation to write a history of Old Tioga Point, which he abandoned on leaving the town. He married, in 1872, Miss Ella Jackman, and four sons survive them.

Early Physicians.



THE OLD DOCTOR'S SADDLEBAGS

To the pioneer the doctor was sometimes a necessity, even if he had to come from fifty miles away, for in this lovely valley the population were unusually afflicted with terrible scourges of fever of various sorts, doubtless all malarial, but designated as "the cold fever," "the Sheshequin fever," "the Newtown fever," etc., showing that there was a distinction and a difference. It required fortitude and bravery to practice in the wilderness, where long journeys were made on horseback, often in darkness, fording deep streams, the horse almost making its own path.

The illness that arrested the progress of Dr. Stephen Hopkins⁴ and led him to settle at Tioga Point may well be called a blessing. He was just twenty-four years old, and had practised some years before coming here, having studied with Dr. Stephen White, later of Fort Stanwix. For fifty long years he pursued his practice in the

⁴ Mr. Charles C. Hopkins, the genealogist of the family, has furnished such facts as he has gleaned. It would be very natural to think this Stephen Hopkins was a descendant of Stephen Hopkins, who was a signer of the Declaration of Independence, but the American progenitor and line of descent is not known, further than that Dr. Stephen was the son of William of Roxbury, Morris Co., N. J., where Stephen was born, 3 Sept., 1766, one of a family of five children. The father, at an advanced age, served as artificer in the Revolutionary War, and later removed to Palmyra, where he had made a large purchase of lands; emigrating thither in 1791, where both he and his wife died a few days after their arrival, probably from the exposures of the journey. Dr. Hopkins m. Jemima Lindsley and had Minerva, m. Walter Herrick; Celestia, m. Edward Herrick; Eliza, m. Dr. Thomas T. Huston; Charles L., m. Amanda, dau. of John Shepard; Phoebe, m. Rev. James Williamson. Their posterity is well known in the valley, though few remain to-day. Edward Herrick, great grandson, made some investigation, according to which Albert Holbrook, a distinguished genealogist of Rhode Island, thought William to be a son of Col. Wm. Hopkins, the elder brother of Gov. Stephen Hopkins.

valley from Newtown to Sheshequin and in frequent consultation from Palmyra, N. Y., to Wyoming. His journal records him as present at 2500 births. For twenty-five years or more he was the only physician at the Point, although soon after his arrival Dr. Adonijah Warner came from Granby, Mass., and was his partner, but he soon removed to Wysox. Probably a more successful physician than Dr. Hopkins never practised in this region. He willingly traveled night and day on horseback over rough paths to minister to his patients. He used some heroic methods of his own; for instance, his treatment of the prevalent fevers with hemlock sweats and rye mush, a less debilitating process than more usual methods. This was universally successful, except with the peculiar "cold fever" already mentioned. While he had a fiery temper, it was usually well controlled; and to his patients, young and old, he was not only a life saver, but a genial, loveable man. To-day he lies unknown and forgotten in the old burying ground. There is, however, one old lady of ninety-four who grows eloquent in her praises. Yet she knew his heroic treatment when a child, for after a prolonged illness, having little relief, he ordered her parents to take her down to the creek and give her a veritable cold plunge, which proved the needed tonic. Dr. Hopkins was short and stout, with blue eyes and a ready smile and pleasant word for all. His hospitality was far-famed and unsurpassed; he was in very truth a royal entertainer, for it was he who made welcome the three distinguished French princes in his private house, although in later years he kept a famous hotel. In those days he wore the ruffled shirt, wig, knee buckles, etc., to which in later years he laughingly alluded. It is difficult to picture him as a young man, for he has long been known to us as "old Dr. Hopkins," and we have been wont to think of him as in the lost and only portrait painted by Curran Herrick, with white hair and beard, and big white tie. W. F. Warner wrote: "Dr. Hopkins, with his flowing locks, white as snow, would have been selected by Pericles as a model to represent Galen, the originator of practical materia medica." That he became more careless of personal appearance may be assumed from the last recollection of him "standing on the abutment of the Chemung dam watching the rising river, his long loose house gown blowing around him in the wind." That his practice was lucrative is shown by his continued investments and erection of the most pretentious house in the village.

The esteem in which he was held is evinced by his election or appointment to very many positions of trust in Tioga Point, being associated with the Presbyterian Church, the Academy, the Masonic Lodge, etc. He died without previous illness March 29, 1841; yet not without some premonition, for his last act was one in keeping with his life. He burned all accounts against patients, saying he knew many were too poor to pay, and he feared his heirs would attempt collection. His son Charles inherited the homestead and opened the street that bears the family name. In his youth that son Charles was a madcap boy, whose pranks are still town talk, and often found recorded in letters. There is to-day in our Museum the old doctor's desk, time-worn and honored, containing some few family relics.

Dr. Amos Prentice, son of Thomas, son of Thomas R. of England and the Massachusetts Bay Colony, came from New London to Milltown in 1797, and had probably the first drug store in the valley. He practised until his death in 1805, and was succeeded at Milltown by Dr. Ozias Spring, the ancestor of the well-known family of that name, now practically extinct in the valley. Dr. Spring was called "a travelling drug store," who freely used the lancet. Dr. Thomas T. Huston was son of Dr. Thomas Huston, of the Scotch-Irish Presbyterians, who have given so much moral character to Pennsylvania. He was born at Carlisle, Pa., in 1793, graduated from Dickinson College in 1810, and from Philadelphia Medical College in 1813. In 1820 he came to Tioga Point, where he practised for four years, and married Eliza, daughter of Dr.

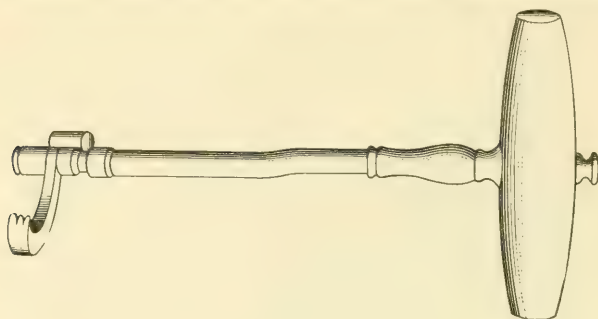


ELM COTTAGE, BUILT BY DR. PRENTICE

Hopkins, with whom doubtless he was associated. Yet it is likely that the old physician's jealousy of his practice drove the young man away, as he left in 1824, practising for several years in other parts of the state. However, he returned to Athens in 1832, and was in active practice until his death in 1865. "His reputation as a surgeon and physician gave him a good practice, but much of it was among the poor, whom he served as long as he could go." It was his custom to give a pound of tea to whoever named a boy for him. He was as careless in collecting his fees as he was generous; therefore he never amassed property. "Dr. Tom, as he was familiarly called, was long, loose and lank, a veritable Scot, with a kindly eye and a fund of ready Irish wit." In an old diary we found the following description: "The Doctor's Points—Very tall, buttermilk eyes, sandy hair and whiskers, good form, straight." He always wore a tall silk hat, and in later years carried a cane, which was more often swung than used as a support. W. F. Warner says:

"A notice of the reputable men of that generation would be incomplete without mention of Dr. Huston, the ubiquitous! the multitudinous! the perambulating news-gatherer and communicator! a worthy and excellent man who in a wider field of action, might have become as famous as his brother, Chief Justice Huston."

Dr. Huston, at his second coming, purchased the house on the river bank in lower part of town, where he and his family long resided. He had four daughters and one son, Charles, well known later as lawyer, editor, etc., in Bradford and Lycoming. The father of "Dr. Tom" had an interesting Revolutionary career, told in State Archives. He never had any sort of a portrait. That he was ready to practise wherever found is evinced by the story attached to one of his instruments now in Tioga Point Museum, and here reproduced. Very near the close of the old doctor's life, Mr. George W. Walker came hastily to town seeking to have a refractory aching tooth extracted. Not finding "Dr. Tom" at home, he sought him on the street. They met near the old Exchange; the doctor, without ado, bade his patient be seated on the hotel steps, and



DR. HUSTON'S TURNKEYS

applied the old-fashioned instrument of torture, the turnkeys. Having extracted the troublesome member, instead of collecting a fee, he presented the patient with the turnkeys, saying, "Put those in your pocket, I never want to see them again."

April 25, 1825, a stranger on horseback drew up at the door of Satterlee's tavern. Being questioned, he gave his name as Dr. William Kiff, on his way to Virginia to practise his profession. Dr. Huston had just left town, and Dr. Hopkins was disliked by some few people. Here was a good opening for a young physician, and Mr. Satterlee urged the young man to stay, and so he did. Dr. Kiff was of Irish descent; his parents came to America previous to the Revolution, in which his father took part. They settled in this vicinity, but were driven out by the Indians, and finally made a new home in Bloomsville, Delaware County, N. Y., where William was born May 22, 1790. He served through the war of 1812 under Captain Penfield. When mustered out at New York City he returned to his old home and studied medicine under Dr. Clark. At Tioga Point he very soon acquired an extensive practice and wore himself out in hard country practice, riding hither and thither on his little horse Lightfoot, who could pick her way even across a ford in the night. He was an active and upright Mason, at his death one of the oldest members of the fraternity in the state, being ninety-six years old. July 9, 1829, he married Jane Walker and had four children, William d. young; Horace, a well-known citizen, dec'd; Frances (Mrs. Hancock), and Isa-

bel, d. 1854. His first house near the old Exchange was burned, the later one is still occupied by his daughter, to whose courtesy we are indebted for the excellent portrait of young Dr. Kiff here presented. His practice extended over a longer period than that of Dr. Hopkins, whose enmity he incurred by intruding upon his circle of patients. Nevertheless, he was a successful practitioner, and was finally considered one of the ablest members of his profession. In all the long rides the early doctors carried their medicine, etc., in saddle-bags, the quaintest of which were Dr. Warner's, not easy to photograph. Those shown, which were of the sort more generally used, were carried by a physician of much later date.



DR. WILLIAM KIFF

In 1841 Dr. Fred S. Hoyt, a graduate of Berkshire, Mass., Medical College, opened an office in the Athens Exchange, and had for many years an extensive practice. After his death, in the sixties, his family moved away, and their history cannot be traced. Dr. Hoyt was a handsome and attractive man, and a skilful physician, and made many warm friends.

The system of homeopathy was introduced into this vicinity by Dr. Leonard Pratt. Among his students was John L. Corbin, who had already attended medical lectures at Hobart College. Dr. Corbin began practice at Factoryville in 1848, and settled in Athens in 1852, where he became a successful practitioner and spent his entire life. He was the son of Oliver Corbin and Lucy Hill, Connecticut settlers at Warren, where the doctor was born July 26, 1819. He married Mary, daughter of Julius Tozer Jr. His wife and two children are still town residents.

This sketch should have been prefaced by an account of the grave of what may have been the first physician of Tioga Point. It was accidentally discovered in 1897 on the river bank, back of the Museum-Library. With the skeleton *evidently of a white man*, buried in a box with buckles, buttons, coins, a dirk and peculiar clay pipes, were found surgeon's knives of various sorts and much broken crockery, evidently surgeon's paraphernalia of a primitive time. Absolutely nothing is known about this, further than the find.

Doubtless the first practice of medicine at Tioga Point was in the hospital of Fort Sullivan, where there were very many sick, besides the wounded.

It seems hardly fair to omit from this chapter a notice of Dr. Ezra P. Allen; for while he did not reside in Athens during the period of our history, he belonged to this locality, as he was born in Smithfield in 1821. He was the son of Ezra Allen of Halifax, Vt., who settled in Smithfield in 1819. Dr. Allen was sixth in descent from James and Anna Allen, original emigrants, who settled in Dedham, now Medfield, Mass., in 1639, and are supposed to have come from Scotland. He was a graduate of the Berkshire Medical College of Pittsfield, Mass., also attended lectures in other medical colleges. He had an extensive country practice in the vicinity of Smithfield previous to 1860. After the Civil War he settled permanently at Athens, although for eight years he occupied a professor's chair in the medical department of Hobart College, Geneva, N. Y., delivering each season about one hundred lectures. He was an adept and expert surgeon, well known and appreciated in medical circles throughout the state. January 18, 1844, he married Honner H. Harris, of Coleraine, Mass., and they had eight children, several of whom still survive, though only one is now a resident of Athens. Both the doctor and his wife died in 1896. For many years he was the foremost physician of the regular school in this vicinity. The old saddle bags pictured were carried by him in the early days of his country practice.

Rural Amity Lodge, No. 70.

The first Masonic service in this valley, of which we have any record, was the Masonic funeral sermon, "a discourse delivered in the Masonic form," at Tioga Point, August 18, 1779, on the death of Capt. Davis and Lieut. Jones, by Dr. Rogers.

It may be observed that Col. Proctor, commander of artillery under Gen. Sullivan, was an ardent Mason, and had been given a warrant to form and hold a traveling military Lodge, the first warrant of this kind granted to the American army.

There were some settlers at Tioga Point who had been made Masons before they came thither; and diversified as their individual opinions were on public questions, as Masons they met each other as chosen brethren. About 1795 Arnold Colt, Secretary of Lodge No. 61, at Wilkes-Barré, came to Tioga Point to reside; and with other Brethren soon petitioned the Grand Lodge for a warrant to hold a Lodge at Tioga Point, with Arnold Colt, Master; Stephen Hopkins, Senior Warden, and Ira Stephens, Junior Warden. The warrant was issued July 6, 1796; it is on parchment and still preserved. For various reasons the first meeting was delayed until May 21, 1798, when it was held at the house of Mr. George Welles, now better known as Pike's Hotel, burned in 1875. Clement Paine, already a Mason, was made Secretary. Arnold Colt's residence was brief, and in 1799 Col. Joseph Kingsbery was elected Master and re-elected annually for sixteen years. The Lodge met alternately at Ulster and Tioga Point, and was likened to "a Palm

tree sprung up in a desert. Around the altar of that lodge the angry waters were stilled! The Yankee and the Pennamite sat down together for the first time, and ate and drank, and gave to each other the hand of brotherly love." The lodge was a place where our forefathers loved to meet; many of the members came a day's journey to attend its meetings. A portion of David Paine's house was finally rented, and later, as seen, the upper room of Athens Academy. While for a season in later years they suffered from the general debasement and persecution, they revived, reorganized in 1841, and have ever since enjoyed unusual prosperity. Among the more prominent speakers of early days were Noah Murray, who delivered a discourse June 25, 1798; Clement Paine, Joseph Kingsbery, Moses Park and Samuel Satterlee, already known to our readers. Many of the pioneers were devoted Masons for long periods, even to 50, 60 and 70 years. An excellent history of this lodge has been printed, prepared by Joseph M. Ely, Jr.

Early Newspapers.

Although Clement Paine was importuned to print a paper at Tioga Point prior to 1800, it not only was not done, but the town had no paper until 1841, when the *Athens Scribe* was started as an advocate of the New York and Pennsylvania Improvements. The editor was O. N. Worden, a Whig in politics, although the paper was originally sustained by both parties. The first issue was August 5, 1841, and the office was in Chester Stephen's old store building (next lot north of library). The *Athenian*, edited by Academy pupils, was printed on the *Scribe* press, and sometimes included in the paper. The best men of the valley assisted in editing the *Scribe*, and it had three hundred patrons. The paper was suspended in 1842, the improvement boom having subsided. It was immediately succeeded by the *Democrat Laborer's Advocate*, which gained the largest circulation of any paper in the county, Mr. Worden having as partner Jason K. Wright. The suspended work on the canal bankrupted the patrons and the paper in 1845. In 1852 Charles T. Huston, having the use of press and office, started the *Athenian*, published for a short time only. Mr. Huston was a brother-in-law of Mr. Worden, and has been a printer for a large part of his useful life. In 1855 M. M. Pomeroy, familiarly known as "Brick," published the *Athens Gazette* for about two years. He was a bright but eccentric man, and published a very newsy paper, of which *but one copy has been found*. But after a visit, in 1871, "Brick" wrote his venture up himself, as here appended.⁵ No other paper was published prior to

⁵ "Sixteen years ago Athens, or Tioga Point, as it was then more generally called, was a quiet place of six hundred people. Our editorial pin-feathers were sprouting ambitiously then. A friend told us there was a fine opening for a weekly paper at Athens. In those days we believed all we heard and took the advice of a friend.

"He was correct! It was a fine opening. In two years the bottom fell out, and we went through the 'fine opening' we had fallen into.

"The how of it was this: Nat. Harris was a merchant. J. E. Canfield was the active secretary of an insurance company. Shipman & Welles were owners of a big foundry, where much work was done. R. M. Welles was a maker and seller of agricultural implements. G. A. Perkins kept a store. Hen. Baird was a justice of the peace. Nate Edminster was constable, and John E. Snell was another. C. Comstock was a grocer. 'Squire' Patrick was a lawyer. W. S. Burdick was a jeweler, and Jim Wilson kept a saloon. Ike Evans was a lawyer, and

1866, doubtless because the many Towanda publications took the patronage. A complete file of the *Scribe* and the *Advocate* was preserved by the editor, and presented to our Museum by the well-known Charles T. Huston, editor of the historical *Gleaner* of later date.

Some idea of the trials of very early printers, similar to Pomeroy's, may be gleaned from the following notice published in the *Bradford Gazette* of 1817, asking payment of arrears:

"Wheat, Rye, Oats, Buckwheat, flax, linen, cloth of a good quality, tallow and sugar will be received in payment if delivered at the Bradford Gazette office."

'Senator' Reeves was both justice of the peace and attorney. Chester Park and his go-a-head son Dana were merchants, and Herrick's drug store was another!

"All these people were to give us their business and take the paper. In the place was an old press and some type left there by somebody who had failed before us, without money enough to move the stuff away. The old material was cleaned up and put in motion. The Athens *Gazette* became a fixed fact. We had two hundred subscribers—all good at the end of the year!

"We printed pill-labels for Herrick—insurance cards for Canfield—warrants for Baird—letter-heads for Patrick—direction tags for Shipman & Welles—hand-bills for Nat Harris—'oyster signs' for Jim Wilson—fanning mill directions for Raym. Welles—and—and *took it all out in trade!*

"The Athens *Gazette* died! It was a lively lingerer, but at last it sort of ceased to bubble, and one day with all our debts and twenty-one dollars in cash left over, we started for the west!

"The causes of this decease were many. We could not live on a business of seven hundred and eighty-four dollars a year. We could not find a place at the top of the column for every advertisement, nor could we stand penny-ante when Hen. Baird, 'Sen.' Reeves or John E. Snell would lay the things down and with a look of 'business' say, '*I raise you five cents!*' So we quit Athens and decided to no more let others raise us, but to raise others."

In giving sketches of early lawyers (pp. 562-566) three names were omitted, although mentioned in other places. Harris W. Patrick was admitted to the bar in 1838, and lived and practised in Athens until 1875. He was one of the most active lawyers of his time. His family have left this vicinity, so that no knowledge can be obtained of his ancestry, etc. John E. Canfield, already mentioned, was admitted to the bar of Bradford County in 1845, and practised until his death. Joseph B. Reeves was admitted in 1851, and was in active practice in Athens until his death in 1870. He is well remembered as a man of brilliant mind and considerable culture. He was twice married and left a daughter. He was a brother of Mrs. Canfield, who survives him.

CHAPTER XXIV

A SUMMARY

Along the Old Stage Road—The Neighbors

No more fitting way occurs to us to complete this history than to make selections from sketches already published under the above title; and to add similar ones of the neighbors. The Old Stage Road was one of the first State roads in this vicinity over one hundred years ago, and followed the same line as the new State road built in 1907. "The Observations of the Road Committee," etc., of March 5, 1788, a most ingenious and somewhat amusing report (see Chapter XX), doubtless led to some consideration of the subject; yet the first public road, a continuation of the one from Wilkes-Barré, ran up the river via Wyalusing, Towanda and Tioga Point to the State Line, and was "explored and opened" by the settlers, and accepted in 1794. The "Observations" have considerable connection with our locality, which is called "the district of William McClay Esq.," a term applied to it in no other records.

Given the road, we will not take the stage as first intended, but drive or ramble in a more leisurely fashion, the time being between 1830 and 1860. Crossing the bridge we note considerable change in the appearance of the country since our first trip in 1800. The land is generally cleared and fenced; frame houses have replaced the rude log buildings of the pioneers, and the second growth of timber on the hill tops hides the defacing work done by the early ring hunters. Game has nearly disappeared from the forests, and the dams built by constructors of the canal prevent the shad from coming up the river. Take note that the once popular distilleries no longer deface the landscape. As we leave the town we feel with one who lives along the road:

"I have no great attachment for the town, but for these free hills and noble old mountains I have a sympathy and admiration, and love to enjoy them with one of like feelings."—E. A. M.

Near the turn of the road, close to the hill, are living some recent settlers, Jacob Ercanbrack, a worthy Hollander, for awhile "mine host" at the Exchange, and now owner of the old Hopkins property. The late George T. Ercanbrack, the first President of the Tioga Point Historical Society, a man deeply interested in the welfare of the town, was the son of Jacob. Near him lives Joseph P. Burt, a temporary resident from Newtown, whose family was later well known to Athenians. Above live several descendants of Jacob Snell, active and industrious; and the river land, named a little later "the Patch," is occupied by the Irish families who came to work on the canal. The greater part of these families later removed to Ridgeberry, but John Doran purchased property on Susquehanna Cove, and was a thrifty and industrious settler. His descendants are respected borough residents to-day. There was

a John Doran living here in 1791, who was possibly a relative of this same family. But we are off the stage road, turn to the south; the old sign of Murray's Inn still creaks disconsolately to and fro. This is no longer a public house, though the long sheds, built in 1797, shelter the teams of passing friends who are too frugal to cross the toll bridge. Abner Murray has been stricken, life is about over for him, and his children are long since married and gone, except Edward, who always inhabited the homestead and tenderly cared for his parents. The Murray still house has not yet been destroyed, and in it are living Jason K. Wright and his young wife. He is a son of Foster Wright, supposed to be a Connecticut man, who settled in the township in 1822. There are no ancestral records of this family available. Jason married Maria Ely of Owego, a niece of Mrs. Abner Murray, 2nd, and later they had a farm and homestead in Wolcott Hollow, and were the parents of a numerous family of stalwart sons, most of whom long ago went West.

If you stop at the next house, you will find the large family of John Spalding in a good frame house, which was burned later. The young Spaldings seemed to have a fancy for the West, as most of them settled in Wisconsin and Illinois. We will call next on Isaac Morley, 3rd, who lives just where his father located in 1807. Indeed, the original property has been divided between three of the sons, Isaac, Alvin and Gad Harmon. Isaac has a large family. Just below is the commodious house, still standing, built by Alvin Morley for his bride, Eliza Parmeter. They raised a family of five children. Gad Harmon lives up on the little hill just over the canal. He has remodelled the log house built by Joseph Spalding into a comfortable home; having married Experience Green, whose father settled farther south in the county. They have seven children; thus it is seen the Morley contingent is a large one. The three brothers are running Morley's Mill together, as it is run to-day by their descendants. If we go over to the mill we will see Nathan Edmunister, a late settler, but an active citizen, constable of Athens Township for twenty-five years. Now we are at Greene's Eddy, later called Greene's Landing. Here is a group of Rhode Island people; Greenes, Lanes, etc. Ludovick Greene, son of Elisha Greene¹ and Edith Stafford of Greenwich, R. I., came in 1803, and built the hewn log house still standing for a home and a public house. We will visit his three sons to-day: Benjamin, Henry and John. His granddaughter, Almira Greene, has just married Giles M. Hoyt, and commenced housekeeping where they



¹ Elisha Greene was fifth in descent from John Greene (of Quilnesset), the original emigrant, who was also the ancestor of the famous General Greene of Revolutionary fame.

may still be found sixty years later. Giles is the son of Samuel Hoyt of Guilford, who married Mary, daughter of Samuel Bartlett of Sunderland, Vermont.

Giles M. Hoyt was actively connected with the interests of this locality for most of his life, and was teeming with historical data of all sorts, as the writer well can testify. Another Rhode Islander, Thomas Lane,² settled near Ludovick Greene, and married his daughter Susan, many of whose descendants are found to-day in this locality, though the names of Greene and Lane have passed away.

If we call at the Griffin homestead, we will see "the Griffin girls," those famous housewives, thrifty and industrious; they can weave as well as spin, and their wheels and looms are busy (still preserved to-day). We crossed Murray's Creek at Greene's Eddy, named for the property and sawmills of Abner Murray. Redington's Creek comes next, though the family of that name have disappeared. The first farm is that of John Watkins, son of William, a Massachusetts man, who settled in Smithfield about 1810, ancestor of all the Watkins family, a famous Revolutionary soldier. John Watkins has had two wives and fourteen children, and many of his descendants are still in the valley. He keeps open house like most of the people along the road, and has a store as well as a still. He has the old Loomis farm on Queen Esther's Flats, still a Watkins possession. The origin of the Loomis family is unknown; they were Pennsylvania settlers of very early date, with abundance of means, but property seemed to slip away from them, and there are few left of the descendants hereabouts.

Next we find some English people, recent settlers: Thomas Page and his wife, Anne West, with their four girls, came from England about 1831, passed their lives here, and raised other daughters and sons, all identified with the later history of the town. The old homestead, already pictured, has been occupied all his life by the son, George C. Page, a prosperous farmer. A number of Mrs. Page's relatives followed her: Christopher West, her brother, erstwhile a school teacher at Milan, became later a prominent citizen of Baltimore; George West, another brother, remained in this vicinity, and his son, George, occupied the same farm in Smithfield Township during his lifetime. There are still many Page descendants hereabouts. One son of Thomas and Anne Page, Frederick N., was an active business man and citizen of Athens until he removed to Williamsport, where he is well known and highly esteemed, as is his brother, F. T. Page in Athens.

Cross another creek, Buck's, this time, named for one of the original proprietors in old Ulster, whose family later settled at Chemung. Here is a large house (still standing), built by Ezekiel Curry, later the home for many years of his daughter, Harriet, who married Rev. J. B. Chase. And there is another new house built by Peter Flood, an Irish Orangeman from Limerick, contractor on the canal; his sons and daughters are well known to-day. Here are numerous descendants

² The children of Thomas Lane and Susan Greene were Mary, m. G. W. Plummer; Sarah, m. Gabriel Walker; Martha, m. William Drake; Lucy, d. unmarried; Wealthy, m. Henry Mingle, and Jane, m. Nathaniel Greene.

of Christian Minier, who came from Germany with the persecuted Huguenots. His son Daniel came here from Northampton County in 1792; Abraham and John are his sons; he was very industrious, and his farm became one of the most valuable in the region. Later it was purchased by Myron S. Warner, son of Dr. Adonijah Warner, whose daughter occupies it to-day. This farm comprised lots Nos. 6 and 7 in old Ulster, chosen by the Bucks originally, and purchased of them by Minier. Next comes the family of Lockwood Smith, already introduced. They have two or three homes now, near together. Lockwood, Jr., is an ardent politician, so successful in obtaining office that he boasts he carries Bradford County in his pocket.³ The burying-ground here is full of information; the first grave was that of Stephen C. Powell, who gave the name to Powell's Eddy nearby.

There is too little time to make the acquaintance of the Huffs and Russells and other late settlers along the road. We will turn off to the west; for there are a good many roads now, and many new acquaintances between here and the township line. Of those whose descendants are still among us, the earliest seems to have been Jacob Van Woert, who came from Athens, Green County, N. Y., in 1838 to Athens Township, and shortly after purchased a farm on Sutliff Hill. His son, Nicholas, was the father of Samuel, well known to the present generation. James Underwood, who had removed from Vermont to New York State in 1811, settled on the farm still owned by his family in 1839; his son William having occupied it over fifty years. All the family have been industrious and enterprising inhabitants. William married Agnes, daughter of Edward McMorran, a Scotchman, who settled in the township about this time, and who has many descendants here to-day. Edward McMorran and his wife are well remembered as true Scots and earnest Christians.

Here is the fine farm of Jacob A. Weller, who came from Newburg, N. Y., to Chemung County, thence to present location in 1843. His wife, Julia Fitzgerald, is from New Jersey, and of their twelve children ten grew to maturity, and have many descendants in the township. Three of their sons are borough residents to-day; Jacob E., associated with his son, William A., the merchant; (another son, John J., is also a town merchant); Nathan, who has held various county and town offices, and Frank, a skilled mechanic, most of whose life has been spent in Greene's Landing. The Wellers are scattered over the country, even to California, and are known as honest, capable business men, worthy descendants of Jacob, the pioneer. Frederick Weller, who came to the township in 1840, was of the same family, brother of Jacob, Sr. Like him, he carved a fine farm out of the wilderness for the benefit

³ William Smith, son of Lockwood, who owned a separate farm, has had the western fever and moved west, in true emigrant fashion, settling in Michigan, and his descendants are found farther west, even to the Pacific coast, as also the families of Lockwood, Jr., and Platt Smith. We have little definite record of them. William sold his farm to Henry S., son of General Welles, who lived there with his bride a few years. There is another Smith family here now, John, whom we think was a Palatine German. His son Henry married Abigail, daughter of Lockwood; they were the parents of Hulon C. Smith of Athens. The Smiths were so actively religious that they were called "promoters of the truth, even down to old age." Although many descendants are in the west, they are also numerous in this locality. Lockwood, Sr., was a conspicuous pioneer because he was one of the original proprietors of Ulster, who returned after the war to his original choice, and his title was ever undisputed.

of his family of fifteen children; his son, Artemus Weller, is a borough resident; Clinton and Fenton are also of this family.

Another late settler in this locality was John Eighmey, born in Durham, N. Y., who came to Athens Township in 1819 and purchased a timber tract and sawmill near the Underwoods, pursuing lumbering and agriculture for about twenty years, when he removed to Milltown. He was the father of Lewis Eighmey, a prosperous business man who has had much to do with the development of Sayre; and of Lawrence M. Eighmey, now resident in Athens Borough, who was for a long time a successful operator in Pennsylvania oil fields, and is now active in the banking business. George H. Jackson also settled in this part of the township about 1840; he was the father of John M. Jackson, an industrious citizen, who still has some descendants in the borough.

A somewhat eccentric character who left his name and his mark in the township was Erastus Wolcott, who first settled on Tutelow Creek about 1830. He was a practical lumberman, and built several sawmills, changing location when the land was cleared. He was a strenuous character, staunch in his friendships and fierce to his foes. He finally settled on Redington Creek, and gave the name to Wolcott Hollow. He became quite prominent in politics, always taking an active part, and should be remembered as the man who, during "the log cabin and hard cider campaign," gathered twenty yokes of oxen, harnessed them to a small log cabin on wheels, and drove triumphantly to Towanda to a great political gathering. Which reminds us that to-day we never hear the call, "gee-haw," nor see the countryman coming to town with his long ox-gad, driving those patient, toiling beasts of burden, the oxen. There are numerous descendants of McDuffee, Tozer, Snell and other pioneers in the vicinity of Tutelow Creek, whom we cannot visit to-day; and some later settlers, whose names and descendants still exist: the Scotts, Clarks, Beidleman, Middaugh, Sutliff and perhaps others. Watson Sutliff gave the name to Sutliff's Hill. The first Middaugh was not only a farmer but a contractor. One of the settlers on Sutliff Hill about 1846 was Samuel H. Sawyer, who later made a home in the village, where several of his family still reside. There were a number of Sawyer families who came to this region from Goshen, Orange County, N. Y., and settled in Athens and Waverly, all of the same stock: Moses, Samuel, John L. and Moses, 2nd. Samuel Sawyer, a frugal and industrious man, was blind for many years before his death. He was always very devout, and is best remembered as associated with Chester Park, going about the village, exhorting and praying in the homes as well as in religious meetings, in a laudable endeavor to make religion one of the common things of life, essential to every one's happiness and well-being. Two sons, William and James, and one daughter, Angeline, are still borough residents, the daughter occupying the home built by her father in the fifties.

Let us call next at Ira Elsbree's. Joseph and Ira Elsbree, natives of Albany County, N. Y., settled in Windham Township in 1819. Nothing is known of their ancestry, though there are traditions which indicate Scotch or Scotch-Irish origin. Joseph married Mary Mackey,

Ira married Sally Dunham. About 1848 they purchased together a large lumber tract in Athens Township. Both were practical lumbermen as well as farmers, amassing considerable wealth. Ira moved onto the tract at Pine Grove, and he and his descendants have been residents ever since. His only son, J. Lehman, is a borough resident to-day, well known as a practical farmer, lumberman, stock dealer and general business man, who has acceptably filled town and county offices. The son of Joseph was given his father's interest and followed his uncle; Alexander C. Elsbree was born October 3, 1821; his wife was Nancy Rogers of Windham. After some years of active work as a lumberman he settled in the borough, of which his daughter is to-day a resident. Alexander was a public-spirited man, assisting many enterprises of the town with his ample means. He had three brothers; Manson, who spent most of his life in the township and left numerous descendants; Nathan C., a resident of Towanda and well known lawyer, admitted to the bar in 1848, and Platt, who was for some years in the West, but spent the latter part of his life in Athens. There were also two or three sisters well known here. Ira Elsbree had three daughters, said to be "three of the handsomest girls of their time": Almira, who married Abraham Snell, and survives him; Nancy, who married Reuben Morley, and survives him, and Amanda, who married Moses Wright, a non-resident.

If we should go farther west to Smithfield, Burlington, Springfield and Ridgeberry, we might fill many pages. The settlement of the last has already been noted. The others were originally all Connecticut townships. Smithfield was set off from Ulster and named for its grantee, who never took possession. Burlington has already been mentioned, and Springfield was originally Murraysfield, granted to Noah Murray in 1795. Eventually these three townships were peopled by New Englanders, attracted by the tales of the agents of Susquehanna Company and of Pennsylvania landholders, who represented the region as a veritable Eldorado. Much deceit was practised by these agents.⁴

Having returned to town and rested, we will cross the Susquehanna and gather up a few more bits of pioneer history. Thomas Park, a very early, if not the earliest, settler has already been noted; many of his descendants are to be found east of the river, too numerous for special mention. The next permanent settler in Litchfield Township after Thomas Park was Eleazar Merrill, who came from Connecticut in 1803, and with his numerous family have had much to do with clearing and subduing the unbroken wilderness which they found on arrival. The Merrill family still has a large contingency in this region, holding annual reunions. Thomas Munn was another early pioneer of Litchfield whose twelve children⁵ have spread over the

⁴ Though we regretfully omit the Mitchells, Birds, Tracys, Geroulds, Phelps, Harknesses and many others, we cannot forbear to mention one settler on Carroll's lands back of Ulster, whose ancestors were renowned at Wyoming, their story being interwoven with all the history of the time. Miles Forman Ransom was the son of Ira Ransom, fourth in descent from Capt. Samuel Ransom, a famous hero of Wyoming, who was doubtless the original emigrant from the vicinity of Ipswich, England. "Firm" Ransom, as he was generally known, had a fund of historical knowledge second to none in the country. Much of it has been transmitted by his daughters to the writer, who, however, stands in awe of their criticism. There is an excellent printed genealogy of the Ransom family.

Union, as active as the first sturdy pioneer. Another family of pioneers was that of Silas Wolcott, who settled in Litchfield Township about 1806. He was a Connecticut man, and served during the Revolutionary War, being one of Washington's body guard while at Valley Forge. He was a settler on the West Branch before coming to this locality, a miller by trade, and a great hunter; it is said he was induced to settle in Pennsylvania because of the abundance of game. He married Margaret Rowen, near Lancaster; they had nine children, four of whom settled in the township, as did many descendants. These pioneers, the Parks, Merrills, Munns and Wolcotts married and intermarried, and may be said to have peopled Litchfield, and many of them were excellent examples of industry, perseverance and frugality, true pioneers. Theron B. Wolcott, the merchant, Mrs. Fred Gohl and Mrs. H. F. Johnson, descendants of Silas Wolcott, are now residents of the borough.

We should not have neglected to introduce the McKinneys in our borough history. Henry McKinney, Sr., was born in Ireland about 1769. There is an entertaining story of the non-conformity of the McKinney boys to church laws, which necessitated abrupt flight from the country. Having no opportunity to acquire necessary means, Henry and his father came to America in 1790 as redemptioners. Henry, after working out his passage in Maryland, where he had acquired a wife, journeyed up the Susquehanna River to Tioga Point. According to certified records he first settled in the village on the lot now occupied by Wm. H. Minor. He was a skillful weaver and pursued his trade, as may be attested by many quaint products of his loom still in existence. After various changes, he settled permanently east of the river, where members of the family are still living, and others are scattered. This family, by their active industry, have done much to develop and improve the township and to win the esteem of their fellow citizens, Chester being now the oldest male survivor. Henry, Sr., was drowned in 1806.

At this period the Flower family were quite prominent in the township, also the Ovenshires and the family of Moses Park, though lack of space forbids detail; later many of them moved west. The Hadlocks and the Hulettts were also early settlers on the farms east of the river, and their descendants still are there. As we travel down the river road we find the home of Robert Spalding and Aurelia Satterlee. Robert was a son of William Witter Spalding, who married his cousin, Rebecca, a daughter of Simon of Sheshequin. This family removed to Wysox about 1840, and many descendants are in Towanda. One son, A. Hanson Spalding, born 27th August, 1816, remained in this vicinity to maturity, married Clara, daughter of Samuel Ovenshire, and had three children, one of whom, Mahlon M., is now an active business man of Towanda. Except during his term of office as county sheriff, Hanson Spalding spent his whole life in Athens, and was always an active and honored citizen. Their farm east of town (now the property of Miles Harrington and of Mrs. Michael Coleman⁵) was pur-

⁵ Michael Coleman, a native of Ireland, settled in Orange County, N. Y., when a young man. Having already made a tour of inspection to this vicinity he removed here in 1858, pur-

chased by James Thompson, familiarly called "Scotch Thompson." He was a sturdy Scot, born in Glasgow 13th February, 1792, emigrated to America 1835, and became a contractor on public works in New York City. He amassed considerable means by a contract for construction of Croton water works, much of which he invested, about 1848, in lands in this vicinity; also in bringing to completion the long-delayed enterprise of the Susquehanna Bridge. His wife was Isabella Watson, and they had three daughters, who married and settled in this locality; and one son, John, who inherited his father's homestead, which he occupied and beautified until he went west in 1883. Mr Thompson was an active and excellent citizen, as generous as he was wealthy. He gave the benefit of his experiences to C. F. Welles when the latter began to contract for building of public works; and was a valued friend and trusty adviser. Some of the descendants of his daughter Elizabeth, who married another Scotchman, Robert Patterson, are now borough residents. The old Nehemiah Northrup farm (now Baldwin property) was the home during this period of Doctor Patterson, a skillful physician, who built the present commodious house, a little later occupied by the family of J. T. D. Myer, from New Jersey, who were only temporary residents, but well remembered for the genial hospitality extended to all the young people of Athens.

Passing the old Northrup property we would at once enter on the once famous Indian path or trail leading to Sheshequin, beginning about as the road is now, in the vicinity of the "turn o' rocks" (whence was sketched the view on our title page), it ran about thirty feet higher, above the high rocks along the present road. Many a story is told of hairbreadth escapes in traversing this path, long the only connection between the settlements. It is to-day quite well-defined, as attested by one who came upon it in climbing the hill (July, 1908). The view therefrom is said to be the most beautiful in the valley. Should we follow it we would visit Mr. Ebenezer Shaw, born in Rhode Island, 5th September, 1771, son of Jeremiah, son of Jeremiah, son of Israel, doubtless the original emigrant. Ebenezer lived to be a centenarian, the gathering to celebrate that event showing the high esteem in which he and his family were held, as they are now.

Another late settler east of the river was Samuel H. MacAfee, b. May 10, 1796, son of Benjamin, of Scotch descent, a Revolutionary soldier, who lived and died in Springfield Township. He was a pioneer of Wyoming, and after the massacre the family suffered the horrors of the flight through the woods, losing one of the boys on the way. No one dared to turn back, but the plucky lad worked his way out at last. The family settled in Sussex County, N. J., the settlement being still known as "MacAfee's Corners." "Samuel was a man of some note in his native state, serving creditably as sheriff, etc." He married Hannah Riggs of Vernon, N. J., and had six children. Came to Athens Township about 1835 or '40, and soon purchased the farm

chased the south half of the Spalding farm, and built the house still occupied by his wife and daughter, the only survivors of his family. He was a judicious and economical business man, as was attested by his fifteen years of satisfactory service as Township Commissioner. He was also a director in the First National Bank of Athens.

on Orange Hill, occupied until very recent years by his son Joel, who purchased his father's farm, "and by industry, economy and good financiering, added largely to his father's possessions and became independent." He married Sybil Gates, daughter of Isaac Gates of Smithfield (familiarily called General Gates), and they were the parents of the well known active and enterprising business men of the valley, Dana, Judson and Arthur; and Burton, Jenny (m. Orville Compton), Ida (m. Irvin H. Rogers), Anna (m. Worthy H. Kinney) and Nellie, non-resident. Some other children of Samuel have descendants in this vicinity.

There are, of course, many other settlers of more or less prominence whom we have not time to visit, for we must travel far to-day.

While Milltown and Factoryville were closely connected with the village of Athens in early days, their story has been so well told by Mrs. Perkins in "Early Times" that we have really neglected them. The Shepard family are well known, and have already come into our history; but we must visit another family, that of Samuel Wheelock, who came from Greenboro, Vermont, to the Silver Lake settlement in 1814, and to Athens about 1818. In 1838 he settled in Milltown and soon purchased the Shepard mills on Cayuta Creek, which he and his sons operated for years with great success. He had a large family, mostly sons, several of whom went west. Moses, Sarah and Henry spent the greater part of their lives in Milltown. Moses and Sarah were unmarried, they were greatly respected, being always active and austere members of the Presbyterian Church, to which they made large gifts. Henry was the father of the present family now resident in Sayre, Joseph E. and Mrs. H. D. Angell. The Wheelock family were always influential and helpful citizens, whose memory is perpetuated by the beautiful memorial chapel erected by their descendants near their old home, just above Sayre.

Simon Spalding was an active citizen of Milltown, where his old homestead still stands; he married Eliza, daughter of Abner Murray and Dorothea Harris; he had no sons, and only one of his daughters was married, Dorothea, to Jarvis Peloubet; his few descendants are widely scattered. The names of Crocker, Elwell, Perry, Spring, Rice, Morgan,⁶ Muzzy, Thomas and others, once influential citizens of this vicinity, have now entirely disappeared. Especially noticeable was the Elwell family, who came from Dutchess County, N. Y.

An early settler in this locality who has not been mentioned was Adam Cranse, who came in 1800, and in 1806, in partnership with John Shepard, purchased 500 acres of the Howell tract bordering on the river, later known as the farms of Cranse, Woodworth, Robb, Fordham and Wheelock. Adam and Celestia Cranse were the ancestors of a numerous progeny, scattered over the township and elsewhere. Many of the older ones are buried in the Milltown cemetery. Adam Cranse was a prosperous farmer and established a ferry near the State Line. He was also the superintendent of an important shad fishery on an

⁶ One of the Morgans was an expert potter and made bowls, milk pans, etc., for the housewives from the red clay of the neighborhood, which he decorated always in yellow.

island opposite his farm, of which Mrs. Perkins gives a full description in "Early Times," page 157. A later settler, whom we may meet on our rambles, is Luther Stone, of Connecticut descent, who came to the township in 1834 and purchased a tannery property already established at the State Line, at a point long called Factoryville, close to Milltown. He had four children, three of whom have been almost life long residents of the valley: William, James and Sarah (Mrs. Emmett Moore). Here let us ramble across the plains (to-day a net work of railroads and trolley lines) to the old Lovers' Lane, which will take us westward to the possessions of Col. Levi Westbrook, who came here about 1835, purchasing several hundred acres from the old Erwin tract, all wilderness. However, he at once engaged a large force of axemen and speedily cleared the land for cultivation; it is one of the finest farms of the region. Later the property was purchased by Levi's brother, known as General Abram Westbrook, whose family occupy the property to-day. He operated the saw and grist mills at Toodleytown, as well as an extensive butter and cheese manufactory. This family, though quiet and unobtrusive, have been active and industrious citizens.

While, as is well known, Waverly is a modern town, dating from the building of the Erie Road, the settlements of Ellistown, Nichols, Chemung and Wellsburg were made in the early days, and were all closely associated with Tioga Point. For the pioneer had ever need of his neighbors, and they often traveled many miles to assist in clearing, chopping and raising. Ellistown was rightfully named for Ebenezer Ellis, who raised a family of thirteen children. He settled at Nichols or Wapsena in 1787 and at Ellistown in 1791. Thither came also the Mills, Saunders, Swartwoods and others; and in 1794 "John Hanna, a man of means and merit," who also raised a large family of children, attained great age, and was the source of much historical information. Nichols, which was also called by the Indian name from the creek, Wappasening or Wapsena (meaning east), is the next settlement. Nichols was originally part of Hooper's patent and Coxe's patent. The first permanent settler was probably Emanuel Coryell, who came as agent for Col. Hooper's lands. These lands, unlike those about Athens, "were held at reasonable prices, and liberal means were adopted to induce immigration from the Eastern States," and the section filled up rapidly. Mr. Coryell, with his family, started from his home on the Delaware for the "Susquehanna country" in 1791, traveling with his family in true emigrant fashion by wagon to Wilkes-Barré. Here they obtained a Durham boat for themselves and their belongings, and were "poled up the river" like all the pioneers. The river being low, the journey occupied two weeks, when they landed at Coryell's Eddy, near a fine Indian clearing, where eventually they built their house. A few years later Mr. Coryell was appointed first judge of the county court, and thereafter was always known as Judge Coryell. He soon took up a large tract of river land and one of wild land, and proceeded to subdue the wilderness. The Cole family from Wyoming were on this land at his arrival, claiming, however, only possessory rights. Next came John

Smyth; and later the Shoemakers, Palmers, Platts, Formans, Canfields, Lounsberrys, Cadys, Barstows, Kirbys and many others.

Judge Coryell filled the numerous offices to which he was called in town and county with credit and ability. He was a true gentleman of the old school, and his wife was said to be one of the most interesting women of her time. They reared five sons and six daughters, who grew to maturity, thus leaving a large circle of descendants, who, like their ancestor, have always held the respect of the community.

A later settler who attained much prominence was Gamaliel H. Barstow, who came from Connecticut in 1811 prepared for the practice of medicine, in which he was soon considerably engaged. Dr. Barstow married a daughter of Judge Coryell. He was called to fill so many public offices that he abandoned his profession in a few years. His quaint old home, built in 1835, has now entirely disappeared. The Coryells and the Barstows were always among the foremost people of Nichols, though now widely scattered. Mrs. John Williston and Mrs. Charles Kellogg are descendants of the Coryells and Barstows. George Kirby, the first of the family of that name, was a friend of Gamaliel Barstow in Great Barrington, Mass., and followed him to Nichols in 1814, where he soon became one of its most prosperous inhabitants; and his descendants have all become sound financiers, well known throughout this region. Dr. Barstow was a man of culture, and accumulated a valuable library of rare old books. Educational facilities were limited, and many of the children were sent to the Athens Academy, walking back and forth through the forest. The nearest stores and mills were at Tioga Point, and later at Owego, so the Nichols pioneers depended largely on their own resources, and very often had to go without bread if the journey to the mill could not be made, or the mill unable to run for lack of water. While the first settlers lived on scattered farms, a village was established at the coming of Dr. Barstow, which was called "the Corners," and later Nichols Village.

The pioneers along the Chemung were the McDowells, Bucks, Wyncoops, Bentleys and others. Green Bentley gave the name to Bentley Creek; Abner Wells to Wellsburg, Jacob Lowman to Lowmansville. Captain Abner Wells was a descendant in the fifth generation from William Wells or Wills of Southold, L. I., a different family from the Welles who settled at Tioga Point. Abner gained his title by Revolutionary service, and was a graduate of Princeton College.

Scattered along the river from Chemung to Newtown were the Kelseys, Mitchells, Middaughs, Millers, Bakers, Tubbs, Hammonds, Parshalls, Boviers, Jenkins, Keeneys, Seelys and many others. These settlements have been pretty well written up for gazetteers and county histories. Lebbeus Hammond was one of the two men who escaped from Queen Esther; Thomas Keeney was one of Pickering's abductors. Some of these Chemung pioneers have descendants in Athens to-day.

Elmira or Newtown needs a historian; it should be a matter of chagrin that so interesting a history is only told in county histories, newspapers and old directories. We are glad to note, however, as we are going to press, the erection of a substantial granite marker on the

real Newtown battlefield by the Newtown Battle Chapter of S. A. R. of Elmira, June 27, 1908.

Our task is more than done. Originally we planned but to portray the early struggles of the pioneers with the wilderness, the savage, the Tory, and worst of all with themselves in the controversy for right of soil. But having broken bounds and endeavored to note the pioneers, we are too well aware that we may seem to have slighted many worthy men and women. Far better to have told only of the deeds, thus portraying the characters of the doers.

Peace broods over the lovely valley to-day. The warwhoop, the wolf's howl and the click of the old flint locks are heard no more. The wilderness has given way to fertile farms and prosperous towns. The curtain falls, "the lights are out, and gone are all the guests." Reader, let

"Thy thoughts be with the Dead ; with them
To live in long-past years ;
Their virtues love, their faults condemn,
Partake their hopes and fears,
And from their lessons seek and find
Instruction with a humble mind."

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The portrait of Timothy Pickering, copied from an engraving of Gilbert Stuart's painting, is reproduced on page 175 by the courtesy of Oscar J. Harvey; note of acknowledgment having been inadvertently omitted in proper place.

REMONSTRANCE OF HENRY WELLES.

The publication at this late date of so bulky a paper, originally intended only for the eyes and ears of a Legislative Committee, may seem to require some explanation or apology.

It has been thought justifiable, in connection with the History of Tioga Point, from several points of view, illustrating as it does—albeit from an ex-parte standpoint—a most important era and incident in that history.

In the first place, this paper presents in concise form probably the only extant statement of the claims and rights of the unpopular side in a great popular controversy, of a time now long past. Secondly, it sets forth in vigorous language and argument Henry Welles' grounds for "Remonstrance" against the reporting by that Committee of a bill which he held to be both unjust and unconstitutional. Thirdly, it constituted, at the time, his best and only "Defence" of his own title, and of his conduct in asserting it, during the long season of war and turmoil which was then at the height of its activity, but which was then also—had he known it—drawing happily to a close.

For an account of the preparation of this "Remonstrance" in the year 1826, by its author, Charles F. Welles, Esq., of Wyalusing, see page 465, also note 9, page 468, *ante*.

PREFATORY NOTE.

"This printed copy of the plea read in defence by Henry Welles December 1826 before the Committee of the House, is designed for preservation among the families interested, and those only. Aiming, at the time, to disprove every assertion in the previous adverse report of a former Committee, adopted by the House, it is far more particular and laborious than otherwise need have been; but to those who can conceive of the force which Party can apply to its persecutions, as in this case through seven years of unremitting exertion, the thoroughness of this defence need be no surprise. The reading of this paper before the Committee convinced the prosecutor's attorney of the certainty of failure in the courts; and the suggestion of Townsend Haines Esq. to substitute for the bill reported a compensation to the Mathewsons was adopted; under which Mrs. Mathewson received of the treasury nine thousand five hundred dollars. Although this was made a party matter by the influence of the late General Samuel McKean, every able and respectable member of the Democratic side advocated the defence of General Welles from first to last, seven years, the most exciting subject that agitated the House." [C. F. WELLES.]

MATHEWSON VS. WELLES.

The case of Mathewson vs. Welles has been before the House for several sessions. A committee reported upon it to the last session; but as the remonstrant had, previous to that moment, been kept in the dark as to the grounds to be taken up in the report, and as it was then too late in the session for him to send for the further documents and testimonials that he then found necessary, he has been compelled to adopt this mode of laying his defence before the several members of the House at the present session.

The conduct of Henry Welles as a citizen and as a former member of the Legislature being most flagrantly impeached in the Report, and as the object intended to be reached by this aspersion, is to stimulate the Legislature to divest him of his landed property, it becomes his duty to use all necessary freedom in his own defence; conscious that there are few members in the House who will refuse to hear both sides, and examine patiently and without prejudice before they pass in this unheard-of manner upon the rights of property and person.

In duty to himself it becomes necessary on the part of Henry Welles to prove that the report of a committee, adopted by this House and spread upon the jour-

nals, is a web of errors and misrepresentations;—that it asserts in direct opposition to known facts and legal certainties, and in direct contradiction to the testimony.

The Report opens the subject by stating that “Henry Welles lived in the “neighborhood of Mathewson (Elisha) at the time of his death, and was in possession of some lands adjoining Mathewson’s”:— that “in the Spring or Summer “of 1807” he” (meaning Henry Welles) “went to Baltimore *agreeably to his own “statement*, for the purpose of making some arrangement with Mr. Carroll for ‘the “purchase of the lands held by the Mathewsons’”; meaning to represent Henry Welles as a designing speculator, proceeding upon the defencelessness of the widow and fatherless, and that all this was his own admission.

The injustice of this representation was apparent from the title papers before the committee, as will still appear by the same evidence, showing the derivation and progression from the Commonwealth to Henry Welles.

May 17, 1785, a warrant was issued to Josiah Lockhart of Lancaster, to which was drawn Lottery No. 1, under the Act of April 8, 1785; on which was chosen, surveyed and returned, the tract called “Indian Arrow,” 1038½ acres, including the peninsula of Tioga Point, then in Northumberland County, and patent issued thereon to Josiah Lockhart April 3, 1786; a part of this location being within the boundaries since designated under the Connecticut title as Old Ulster. The validity of Mr. Lockhart’s title under Pennsylvania is not disputed.

March 1, 1798, Josiah Lockhart conveyed to Richard Caton and Ashbel Welles, merchants trading in Baltimore under the firm of Ashbel Welles & Co., and George Welles, in equal undivided interest, for the consideration of sixteen thousand dollars, by deed recorded in Luzerne Co. Deed Book No. 5, page 431. July 11, 1798, George Welles arrived at Tioga Point, intending to reside there; but finding it held by an hostile title, adverse to the laws of Pennsylvania, was compelled to buy out the Connecticut settlers; which he did with the joint funds of himself and partners; giving to James Irwin for his possession six thousand dollars, and to Isaac Cash, Ira Stephens, Nehemiah Northrup, David Paine, Henry Decker, Jonathan Harris, Nathan Bull, and ——— Beebe, various sums, amounting, including Irwin’s, to about nine thousand dollars. To Elisha Mathewson, holding under Connecticut, about one hundred and twenty five acres, proposals for purchase were also made, but not accepted; he having entire faith in the ability of the Connecticut settlers to hold the country. As near as can be recollected the sum offered him was four or five hundred pounds, Pennsylvania currency. It was intended to purchase out all the settlers holding lands *below* the town plot of Tioga Point; and they effected this as to all except Elisha Mathewson.

During the winter of 1799, in consequence of mercantile disasters, the house of Ashbel Welles & Co. in Baltimore failed. May 14, 1799, Ashbel Welles conveyed his undivided third to Richard Caton, by deed recorded in Luzerne Co. May 28, 1799; and in consequence of the failure in Baltimore, and of the large disbursements at Tioga Point, George Welles also failed; and on the same 14th May 1799, mortgaged *his* undivided third of Tioga Point to Richard Caton.

May 30, 1800, Richard Caton assigned the mortgage of George Welles, and also mortgaged his other two thirds of Tioga Point, to his father-in-law, Charles Carroll of Carrollton, in part security for the sum of forty four thousand dollars, cash advanced to assist in discharging the debts of the firm; all of which, it is understood, have subsequently been paid.

Sept. 1, 1802, Richard Caton and George Welles made partition of Tioga Point; and one third, including about sixty five acres of Mathewson’s possessions, was set forth by metes and bounds to George Welles, subject to his mortgage assigned to Charles Carroll:—George Welles remaining tenant in occupancy of the whole, so far as the Connecticut title had been purchased.

May 28, 1804, the mortgage of Caton to Carroll having been foreclosed in Luzerne County as of No. 11, January Term 1803, Robert Goodloe Harper of Baltimore, another son-in-law of Mr. Carroll, bid off Richard Caton’s two thirds of Tioga Point, on public sale, to the use of, and in trust for his father-in-law. About the same period the mortgage of George Welles for the remaining third being put in suit by Mr. Carroll, as of No. 45 April Term 1804, Luzerne County, George Welles, on a general settlement with Messrs. Carroll and Caton, agreed to

¹ October, 1804, as proven by letters of both Henry Welles and Richard Caton.

deed over his third, which was done by deed recorded in Lycoming County Deed Book L, Page 162:—and being entirely ruined in property, advanced in life, and broken down, prepared to leave Tioga Point.

At this time his eldest son Henry Welles, then about twenty four years of age, finding it incumbent upon him to maintain the family, after suspense of a year or thereabouts, concluded to attempt the purchase of a part of his father's share of Tioga Point, and visited Baltimore for that purpose. Finding that Messrs. Caton and Harper, who acted for their father-in-law, were unwilling to cut up the farm that had belonged to George Welles, and that the whole could be bought on better terms, proportionate, than a part, concluded to undertake the purchase of all his father's share, being about 375 acres. Accordingly—

July 20, 1805, Richard Caton and Robert Goodloe Harper addressed a letter to Henry Welles, saying that they would "sell him the one third of Tioga Point "held by George Welles, as per Deed of Partition, for an exchange of 4000 acres "of land lying in the section of the 1st Range of the country called Genesee, near "to the river Tioga, or Chemung"; giving Henry Welles twelve months² to effect the arrangement. To deed to Henry Welles absolutely, if the 4000 acres were received without incumbrance; otherwise to give bond for conveyance, with the necessary restrictions. It was verbally engaged at the time that Mr. Carroll should put Henry Welles in possession of the Mathewson lots lying within the George Welles third, by ejectment; a measure which had of course been determined upon, ever since the offers of purchase had been refused. The action was however delayed by dispersion of title papers, and by neglect, until 1807.

Elisha Mathewson died in 1805, leaving by will his possessions on Tioga Point as a life estate to the widow; also seven hundred and twenty acres of the first rate land in Palmyra in the State of New York, now intersected by the grand canal, to be divided among his children; and naming Elias Satterlee and Elizabeth Mathewson as executors. The estate was free from debt.

Soon after his return from Baltimore in 1805,³ Henry Welles effected an arrangement with Colonel Robert Troup, agent for the Pulteney estate, for the 4000 acres of land now known as Caton township Steuben County; but it was not until June 28, 1811, that he obtained a deed from Charles Carroll to Colonel Troup—Bradford County Deed Book No. 2, page 4; and not till June 15, 1814, that he effected payment and received to himself the quitclaim deed of Colonel Troup; (Bradford County Deed Book No. 2 Page 5,) by which the title finally became vested in him.

As George Welles had not been dispossessed of the one third, Henry Welles, under his contract with Messrs. Caton and Harper, continued in possession of the farm which that third composed, except as to the several lots, said to be about sixty five acres, occupied by the Mathewsons. These lots, lying intermixed in the centre of the farm, parts of a large common inclosure liable to floods and held by inimical possessors, may well be supposed to have been inlets of mischief. This state of things was endured until the year 1807; at which period Joseph Hopkinson, Esq., having been employed on behalf of Mr. Carroll to bring suit in the United States Court, and prepared, Henry Welles went to Philadelphia, brought up the notice in ejectment as of No. 88, April Session 1807; and by the marshal's deputation served it on Elizabeth Mathewson, August 17, returnable to October 11.

All the title papers herein enumerated—legal evidence—supporting letters and representations, which with that support certainly amount to moral evidence, proving that Henry Welles' steps in acquisition of the Pennsylvania title to the property in question had been thus fair and irreproachable, were spread before the committee, unquestioned and undisputed. From what authority then, has the framer of that report drawn his odious representation? Is it a candid narrative that introduces Henry Welles as a neighbor who, finding his neighbor Elisha Mathewson deceased, went to Baltimore "to purchase *the lands held by the Mathewsons,*" made some dark and unascertainable agreement with CHARLES CARROLL, OF CARROLLTON, brought suit *himself*, in the name of Charles Carroll, a citizen of Maryland &c? Surely it is not. Henry Welles moved for the re-purchase of the identical tract of land, metes and boundaries, which had belonged

² Time was six years.

³ Error here. Henry Welles was not in Baltimore in 1805.

to his father for several years before, and which had been lost in consequence of the large disbursements made in purchase of title and possession; three or four times larger, in fact, than the whole at that period was actually worth. So far as Henry Welles was interested under the ejectment, it was not for an *adjoining* lot desirable simply for its value of sixty five acres, as the report implies, but for lots lying intermixed through the very centre of his farm, the possession of which was absolutely indispensable to the safety and value of the rest. Instead of timing the ejectment by the death of Elisha Mathewson, it was timed by the urgency of circumstances stated. Instead of being instituted from oppressive feelings, it was brought reluctantly, after every advance toward a purchase had been rejected by Elisha Mathewson, and repelled by his widow.

In this transaction, instead of being a wealthy oppressor circumventing the indigent, he was a young man without property, undertaking a large debt, for the repurchase of his father's homestead, but never enjoyed without damage.

Instead of being a powerful neighbor, crushing the weak, he was an unsupported individual, asserting the title of Pennsylvania, in a country wholly occupied by an hostile population, who at that time threatened to hold it against the Commonwealth by force.

"CHEATED OUT OF HER RIGHT OF DEFENCE!"

The next division of the accusations arrayed against Henry Welles is, that by a delusive arrangement entered into between George Welles for him, and Elizabeth Mathewson, on the 8th October 1807, three days before the return day in Philadelphia, she was "led to believe" that the suit was ended; therefore omitting to enter appearance in Court, judgment was rendered by default, and she thus deluded, misled, and betrayed out of the chance to defend her title in the Circuit Court.

Now it is self evident, that if Elizabeth Mathewson had *no title*, and *no ground for a defence*, that then Henry Welles could have had *no interest* in preventing her appearance:—that therefore he could have had *no such object* in acceding to the arrangements of October 8, 1807; neither could that arrangement have tended to deprive her of any *value* by prevention of appearance, because neither appearance nor defence could have been otherwise than useless.

What title, then, had Elizabeth Mathewson to set up against the recovery of Charles Carroll? The petition, testimony, and report, all set forth that the holding of Elisha Mathewson was under the pretended title of Connecticut.

It has been settled, to use the words of Chief Justice Tilghman, that "from 'this period' (Decree of Trenton Dec. 30, 1782) 'the Courts of Pennsylvania must 'consider the title of Connecticut of *no validity either in law or equity*, except as 'it may have since been confirmed by our own Acts of Assembly.'" Enslin *vs.* Bowman, 6 Binney, 467.

Had then the title of Mathewson been confirmed by Acts of Assembly?

March 28, 1787, the Confirming Law was passed; enacting that "all the said 'rights or lots now lying within the County of Luzerne, which were occupied or 'acquired by Connecticut claimants, who were actually settlers there, at and before 'the termination of the claims of the state of Connecticut by the Decree aforesaid, 'and which rights, or lots, were particularly assigned to the said settlers prior to 'the said decree, agreeably to the regulations then in force among them, be and 'they are hereby confirmed to them and their heirs and assigns."

Under this act, had it been carried into effect, Elisha Mathewson, being then a settler in Kingston township, Luzerne County, and coming within its provisions, would have been confirmed in his possession *there*; but the Commissioners were violently driven out by the population, of whom Mathewson was one*; and on this account, March 29, 1788, the Confirming Law was suspended by the Legislature.

In 1788 Elisha Mathewson sold out and removed from his settlement in Kingston, made before the Decree of Trenton, and therefore held in encouragement as above cited, and made a new settlement on the lands now in question, being included within the lines of Athens township, laid out since the Decree of Trenton, and also within the supposititious lines of an earlier township, named "Old Ulster"; which had been granted by the Connecticut Company before the Decree of Tren-

* Matthewson's allotment in Athens was in 1786.

ton, but never located perfectly, nor allotted, but abandoned by those concerned, and annulled by the Company. So that Elisha Mathewson elected to sell his lots or rights in Kingston, which were under a degree of promise, and have since been quieted; and elected to settle on another spot, which, whether it were considered to be either in "Old Ulster," or in Athens, was equally excluded by the express words of the Confirming Law.

It is in proof, then, that Elisha Mathewson voluntarily put himself out of the pale which had been held in favorable consideration, as "acquired" prior to the Decree of Trenton, and established himself within a district where he could have had no ground of hope, other than in numerical strength in defiance of the Commonwealth.

April 1, 1790, the Confirming Law was repealed as unconstitutional. Elisha Mathewson, being now in occupancy of lands excluded from favorable consideration, as expressly set forth in the Confirming Law, was one of those put under notice by all the strong acts of Assembly which ensued.

April 11, 1795: Intrusion Law passed, laying on future intrusions a penalty of two hundred dollars and one year's imprisonment; on persons who shall combine, or conspire for the purpose of conveying, possessing, or settling, a penalty of not less than five hundred, nor more than one thousand dollars, and imprisonment *at hard labor*, not exceeding eighteen months; on resistance, a penalty from five hundred to five thousand dollars and imprisonment at hard labor from three to seven years; and empowering the Governor, if necessary, to order out the militia to assist the civil authority in carrying the act into effect: 3 Smith's Laws, 209. Agents under this act put up at the tavern on Tioga Point, opposite Elisha Mathewson's tavern; and these respective houses were the headquarters of the opposite interests, as may be remembered by Mr. Ralston,⁴ who was one of those agents.

April 4, 1799: Compensation Law passed, pursuing the design laid in the Confirming Law, but confining its operation to those lands only that might be *released* for that purpose, by those holding title under Pennsylvania; authorizing the Commissioners to "ascertain all the rights or lots within the said seventeen townships, which were occupied or required [acquired] by Connecticut claimants, "who were actually settlers there, at or before the time of the said decree at Trenton, and which rights or lots were particularly assigned to the said settlers prior to "the said decree, agreeably to the regulations then in force among them." 3 Smith's Laws, 362. The act describes the section within which this was intended to apply, as that which had been "commonly called and known by the name of the seventeen townships in the county of Luzerne," leaving the Commissioners to ascertain what were townships, what were lots or rights, and what had been particularly assigned, occupied or acquired agreeably to the regulations of the Susquehanna Company, by claimants actually settled there before the Decree of Trenton. The Commissioners appointed under this act ascertained that "Old Ulster" although one of the seventeen townships *granted* by the Company before the Decree of Trenton, had never been actually located nor allotted:—consequently that there were no "rights or lots" therein "particularly assigned, occupied or acquired," before the Decree of Trenton. Mr. Cooper, one of the commissioners, wrote to the Governor in 1802, that he regretted to find it impossible to accept Ulster; and describes it as the centre of opposition.

By a supplement passed 6th April 1802, the Commissioners were empowered to certify lands *not released*:—so that this Act of 1802 is the first that went to divest the rights of Pennsylvania owners without their consent; but brought this measure within constitutional limits, *as a necessity*, and proffering to owners a right to sue the State for jury compensation: 3 Smith's Laws, 526.

The report in this case of Mathewson and Welles declares that it does not satisfactorily appear, "why the benefit of the Act of 1799 was confined to fifteen townships only"; adding that it "was evidently the intention of the law to put "the settlers within the seventeen townships on the same footing." By recurrence to the provisions of the act itself, and to the letters of Mr. Cooper in the Land Office, the committee would have found the reasons satisfactory; as they appear to have been to the Legislature, as evinced by subsequent acts, recognizing but fifteen

⁴ This reference to Mr. Ralston, one of the Commissioners under Bedford and Ulster Act, 19 March, 1810, then in Harrisburg, and present.—C. F. W.

townships. The report further declares "that the Act of 1799 actually included "these two townships" (Ulster and Bedford) "equally with the others; and that "the faith of the Commonwealth was pledged the moment the Act of 1799 went "into operation." How clear it is that the faith of the Commonwealth was pledged to abide by the *provisions* of the act; and these townships being *excluded* by those provisions, that *therefore* the faith of the Commonwealth was pledged for their exclusion; priority to the Decree of Trenton being the absolute criterion.

Elisha Mathewson then, by forsaking his rights in Kingston, chose to reject the favor of the Commonwealth; elected to hold his possessions adversely, and class himself among those who resisted the laws and jurisdiction of the State:—consequently remaining subject to the continued warning of subsequent Acts of Assembly.

March 11, 1800: Act for the limitation of actions for real estate, repealed, "and declared to have no force or effect within what is called the seventeen townships in the county of Luzerne, nor in any case where title is, or has been at any "time claimed under what is called the Susquehanna Company, or in any way under the state of Connecticut." 3 Smith's Laws, 421.

February 16, 1801; Supplementary Intrusion Law, still stronger than the original: 3 Smith's Laws, 457.

April 6, 1802; Territorial Law passed, avoiding all deeds of Connecticut title, and subjecting to penalties any judge or justice of the peace who shall acknowledge, and any recorder who should record such conveyances; enacting that no person interested in the Connecticut title should sit as judge or juror in any cases where that title might be brought in question:—further, that any person selling, buying or contracting for such title should forfeit the sum of two hundred dollars, and the contract or conveyance be void: 3 Smith's Laws, 525.

April 2, 1804: Act passed annexing the portion of Luzerne County including Tioga Point, and a narrow strip on the east side of the river, just to surround Colonel Franklin and the settlements under his influence, to Lycoming County, for obvious reasons: 4 Smith's Laws, 187.

April 4, 1805; Supplement to the Act of 1799 passed, restricting to fifteen townships expressly; thus recognizing the decision of the Commissioners against Bedford and Ulster; 4 Smith's Laws, 26: see also page 411, act of April 9, 1807.

April 9, 1807; Supplement to the Act of 1799 passed, extending to Connecticut title acquired within the fifteen townships *since* the decree of Trenton. This departure from original principles was retracted by the next Legislature, (Act of March 28, 1808), and proceedings under the Act of 1799 finally suspended: 3 Smith's Laws, 534.

So that at the time the ejectment *Carroll vs. Mathewson* was pending, or rather from the service of notice, August 17, 1807, up to the return day, October 11, the executors of Mathewson had to prepare her [Mrs. Mathewson's] defence under her Connecticut title, subject to the decided condemnation of all these Acts of Assembly.

Then comes the allegation, or innuendo, that Henry Welles, under pretence of compromise, deluded Elizabeth Mathewson out of her chance of defence! What was her defence? Out of what has she been deluded?

A report of a committee of this House narrates the train of circumstances in such manner as to convey the idea that Elizabeth Mathewson lost her lands by being "led to believe," betrayed, defrauded, out of her opportunity of defence! and this report is received and adopted by the Legislature of Pennsylvania. A Legislature whose journals, and whose statute-books, for the space of more than thirty years, have been literally covered with proceedings and enactments against that very class of Connecticut intruders among whom Elisha Mathewson, and his heirs, and his and their possessions, are expressly included.

What was the chance of defence which the report holds in allusion? What plea could she have set up before the Circuit Court of the United States under the adverse claim of Connecticut, since the Decree of Trenton?

By their own showing, Elisha Mathewson settled on Lottery Warrant No. 1, more than two years since the warrant, survey and patent, of Josiah Lockhart.

By their own showing he settled on Lottery Warrant No. 1, under a claim hostile to this Commonwealth, and in contempt of her jurisdiction.

What defence could have been set up under the Compensation Laws, by the positive provisions whereof the township of Old Ulster, and the claim of Elisha Mathewson were excluded; an exclusion decided by the Board of Commissioners, whose decision is final as to rights under that act, and whose decision had been expressly adopted by the Legislature, as appears by the Acts of 1805 and 1807?

What defence could she have set up under a claim against which the Intrusion Law, the law repealing limitations, and the Territorial Law, had been passed? Acts which surround the Connecticut claim with penalties as an enemy's invasion; and authorize the executive to march armed troops into the country to carry into effect those penalties against the very people among whom Elisha Mathewson was one?⁶

There ought to have been no necessity for calling up these enactments and decisions, to show from page and paragraph that Elizabeth Mathewson had no shadow of a defence to make against the recovery of Charles Carroll. Every man of common information in Pennsylvania, every lawyer, and every member of Assembly, knows now, and has not been ignorant, that a Connecticut settler out of the fifteen townships could at that time have made no defence whatever against the Pennsylvania title: consequently that Henry Welles could have had no interest in preventing her defence: consequently that there could have been no such design, and no such result; and that therefore all the holding forth of the report in this respect, is utterly unfounded. No verbal evidence can be so powerful as these deductions.

But the committee who examined and reported so positively on this case, were not left to judge from the journals, statute books, documents and decisions that surrounded them:—they were not left to rely alone on the irresistible conclusions of common knowledge and common sense; for in addition to all these, they held in their hands and read the papers executed by the parties on the 8th October 1807, and the depositions of witnesses in relation to that transaction, which are as follows:—

Colonel *Elisha Satterlee*, deposes "that in the summer of 1807 Mrs. Elizabeth Mathewson informed him that she was sued by Charles Carroll of Carrollton "in ejectment, for lands lying on Tioga Point; and offered him, this deponent, that "if he, Col. Franklin, and others, leading men interested in the Connecticut claim, "would defend the suit and thus get the general question tried between the Connecticut and Pennsylvania claims, she, the said defendant, would remain quiet "and let the cause go on; otherwise she must settle with Mr. Carroll as well as "she could."

It is proper to be stated in this place that the expression of George Welles and Henry Welles in the neighborhood had been that Mr. Carroll would in all probability leave Mrs. Mathewson the lot on which she lived.

The next deposition then, is that of *Thomas Overton*; who relates "that in "the fall of 1807, being desirous of moving to Tioga Point, he called on Elizabeth "Mathewson and Dr. Elias Satterlee, executors of Elisha Mathewson, deceased, "in order to treat for the purchase of the house occupied by Mrs. Mathewson:—"that he offered to give them seven hundred dollars if they would get the Pennsylvania title. That David Paine, Esq., being the friend and adviser of Mrs. "Mathewson, was the person agreed on to draw the writing. That it was stated "by Mrs. Mathewson and Dr. Satterlee that Henry Welles would procure for deponent the Pennsylvania title to be delivered to him, the deponent, as a consideration for which Mrs. Mathewson was to deed to Henry Welles certain lands "held by her below the village. That the deponent met Mrs. Mathewson, Dr. Satterlee, George Welles, and David Paine, to have the writings drawn: which was "done by Mr. Paine. Deponent contracted for purchase of house and lot at seven "hundred dollars, and became bound to pay in two installments, payable in a short "time. That the deed to Henry Welles was executed by Mrs. Mathewson, and a "bond was drawn from George Welles and Henry Welles in eight hundred dollars "for the delivery of the Pennsylvania title of the house and lot to this deponent; "which was signed by George Welles; but as Henry Welles was not then present, "deponent declined accepting it until executed by him. That it was then agreed "that all the writings should be placed in the hands of Mr. Paine, until such bond

⁶ See Archives, Second Series, Vol. XVIII.

"was signed by Henry Welles; and they were so placed in his hands. That the deponent was never spoken to by George Welles or Henry Welles, or any person in their behalf, to assist them in making any arrangement or settlement with Mrs. Mathewson; nor does this deponent know, or believe, that they or either of them were answerable for the performance by him of his contract; as this deponent was perfectly able and willing to comply with it."

David Paine deposes, "That he was in habits of intimacy with Major Elisha Mathewson in his lifetime, and since his death with his widow and family. That in the summer of 1807, Mrs. Mathewson and Elias Satterlee who were executors of Major Mathewson, frequently consulted this deponent about a suit commenced against them by Mr. Carroll of Carrollton, for the recovery of the house and lot at Tioga Point upon which Mrs. Mathewson resided; and also of other lands a little below the village, then also in the occupation of the said Mrs. Mathewson. That this deponent felt desirous of assisting Mrs. Mathewson and her family, and did every thing in his power as a friend and adviser. That sometime, he thinks, in the month of October 1807, Elias Satterlee called upon this deponent, and told him that he thought that some arrangement might be made with the agents of Mr. Carroll, which would benefit Mrs. Mathewson; and wished him to come down and see her. That he then went down and conversed with her and Dr. Elias Satterlee, and found that they had received from Thomas Overton Esq. an offer of seven hundred dollars or thereabouts for her house and lot, if he could get the Pennsylvania title to the same. That this deponent, being confident that Mrs. Mathewson could not resist or set up any legal defence to the ejectment brought by Mr. Carroll against her, advised her to endeavor to get such Pennsylvania title from Mr. Carroll or his agent, and compromise her then difficulties with them; this deponent then believing that such sum of money was a great deal better than the whole of her claim on the Point. That the same day or a day or two afterwards, this deponent, by the request of Mrs. Mathewson and Elias Satterlee, attended a meeting between George Welles, Thomas Overton, Mrs. Mathewson and Elias Satterlee; and an agreement was made by them as follows, as near as this deponent can recollect: that the said Thomas Overton should pay to Mrs. Mathewson seven hundred dollars in two installments for purchase of the house and lot on Tioga Point, and that George Welles and Henry Welles should execute to the said Thomas Overton a bond in the sum of eight hundred dollars, conditioned for delivery to him of the Pennsylvania title; and Mrs. Mathewson, as consideration of such bond, was to give a deed to Henry Welles of all her lands below the village of Tioga Point. That this deponent was then employed by all the parties present, Henry Welles being not then there, to draw the necessary writings; and he drew the contract of sale to Overton, and also the deed from Mrs. Mathewson to Henry Welles, which were then executed in the presence, as this deponent believes, of Joseph Smith and this deponent. That he also drew the bond from George Welles and Henry Welles to Overton for the Pennsylvania title, which was executed by George Welles; and as Henry Welles was not then present, it was agreed that all the said writings should be left with this deponent until Henry Welles signed the bond; as the said Overton was unwilling that the contract should be delivered up to Mrs. Mathewson until Henry Welles signed the bond; he expressing himself dissatisfied, or unwilling to take it until signed by him. That all the writings were then lodged in the hands of this deponent until such signature was procured, which was done shortly afterwards; and this deponent, on Henry Welles' signing the bond, handed over to him Mrs. Mathewson's deed, and soon afterwards gave up the contract to Mrs. Mathewson, and the bond to Overton.

"The next year this deponent was called upon as a witness by Mrs. Mathewson in a suit brought against her by Henry Welles, which was referred to Joseph Kingsbery, John Shepard and Samuel Gore, and was examined; but as this deponent believes he was barely called upon to prove the declarations of Mrs. Mathewson, as to what lands she conveyed, or intended to convey to Henry Welles, made at the execution of the deed.

"That this deponent has since been examined in one or more suits between Elizabeth Mathewson and Elisha Satterlee; but neither in those suits nor in the suit brought by Welles, was he ever examined as to delivering up the deed to

"Henry Welles without any authority; nor has the said Elizabeth ever alleged, (although this deponent has had repeated conversations with her) to him, that "he did give up the deed improperly. And this deponent further saith, that it "was never agreed upon, either directly or indirectly, in the presence of this deponent, or at the time of his retaining the writings aforesaid; that they were to "be kept by him any longer than until the said Henry Welles executed the said "bond; nor were the said Welles', either of them, at all answerable or accountable "for said Overton; he being at that time accepted by them and considered by all "parties willing and able to fulfill the contract. That this deponent was present "a little time before the first installment on the contract became due, and heard the "said Overton offer to pay it to Mrs. Mathewson; who by advice of the deponent, "declined accepting it, as she might be induced to lend it, and wished to get both "installments together, so that she might lay them out in the purchase of other "lands for the benefit of herself and family, either in New York State, or some "other place which she should determine upon. That this deponent considers the "whole transaction as fair and candid on the part of the said Welles and Overton, "and does not believe that the said Elizabeth had any intention of defending the "suit in the Circuit Court at the time of entering into the contract and signing the "deed; but that the bond given by George and Henry Welles was a full consideration for the delivering up to Henry Welles of the lands below the Point."

Next comes *Mrs. Mathewson's deed* to Henry Welles, dated October 8, 1807, conveying all the right to said parcels of land on Tioga Point that Elisha Mathewson died seized of, as also the right of possession which the aforesaid Elizabeth now holds by actual occupation, or otherwise, reserving the house and lot; with covenant for peaceable possession of the premises against the heirs of Elisha Mathewson, &c. Signed by Elizabeth Mathewson and Elias Satterlee, and witnessed by Joseph Smith, David Paine and Enoch Paine, the latter since deceased. Proved by David Paine, April 5, 1808, and recorded April 6, 1808, in Book G of the Susquehanna Company, Page 163; John Franklin, Clerk.

Next the *bond of George Welles and Henry Welles to Thomas Overton*, dated October 8, 1807; conditioned in eight hundred dollars, to procure a deed from the legal proprietor for the house and lot, and deliver it to Thomas Overton at Tioga Point, *within six months*.

Next is Henry Welles' bond, dated October 8, 1807, to Elizabeth Mathewson, to indemnify her against all cost that has, or may arise in consequence of the ejectment: Together with the receipt of "Betsey Mathewson" and "Elias Satterlee," dated October 21, 1808, for said bond as delivered to them; expressly reciting it as to save "said Elizabeth harmless from all cost that has *or may thereafter* arise in consequence of the writ of ejectment;" signed with their names, and witnessed by their shrewd counsellor, Job Irish.

And lastly, *Thomas Overton's contract* with Mrs. Mathewson, dated October 8, 1807, for purchase of the house and lot, at seven hundred dollars; half payable at six, the remainder at twelve months. All these papers are in the hand writing of David Paine, Esq.

On the part of Mrs. Mathewson there is nothing in the nature of evidence to contradict or divert from its bearing, any particular of this body of testimony, except the deposition of Joseph Smith, who states that he understood that the deed of Mathewson to Welles, was to be left in the hands of David Paine, Esq., and not to be delivered to said Welles until Thomas Overton fulfilled his agreement with Mrs. Mathewson. This affidavit of Mr. Smith was procured from him by Mathewson before he had heard anything from Paine or Overton whereby to correct his memory; and it is evident, that recollecting *the fact* of its deposit with Mr. Paine, he has substituted Mathewson's suggestions instead of the true reason of that deposit. Mr. Smith was called in simply to be a second witness to the execution of certain papers; but on the other hand Mr. Paine and Mr. Overton were the persons who made the bargain, and drew the papers, and of course far less likely to be in error.

Mr. Overton swears positively that the papers were left with Paine until Henry Welles (who was not in Athens at the time of this transaction) should sign the bond for the deed; and that this was done in consequence of his (Over-

ton's) declining to receive the bond of Henry Welles before it was signed by Henry Welles. This is clearly reasonable.

Mr. Paine swears positively that all the writings were left with him until Henry Welles should return and sign the bond to Overton: and that this was done because Overton was unwilling that *his* contract should be delivered to Mrs. Mathewson before the bond to *him* was executed. And further, Mr. Paine swears that he was a witness in the trespass case of Welles *vs.* Mathewson, before referees; and also, on one or more suits between Elizabeth Mathewson and Elisha Satterlee, wherein Mrs. Mathewson's deed to Henry Welles was a subject of enquiry; and that in neither of those cases was he questioned as to his authority for delivering up that deed:—and that in his repeated conversations with Mrs. Mathewson she has never alleged to him that he had delivered that deed improperly.

Job Irish, also, whose testimony is sufficiently corroborated by the other witnesses, swears in his depositions before the committee, that he was employed by Mrs. Mathewson as her counsel to defend the trespass suit of Henry Welles before referees; and also in several suits and arbitrations between Elizabeth Mathewson and Elisha Satterlee, in which the deed to Henry Welles was a subject; and never heard her, or any of her children, allege that the said deed had been obtained by fraud, or that it had been delivered to Henry Welles without authority.

Memory is liable to error; but the documents written and executed by the parties at the time are unchangeable, and can neither mistake nor forget. The Mathewsons have in their possession the contract of Thomas Overton, wherein he is bound, in purchase of the house and lot, to pay seven hundred dollars in two installments extending to *twelve* months. On the other hand the bond drawn under the eye of Elizabeth Mathewson and Elias Satterlee, by their friend and adviser David Paine, and in pursuance of their own arrangements, absolutely binds Henry Welles to give Thomas Overton a deed for the house and lot "*at any time within six months*"!

Again:—Let these stories be tested by reason; surely this is an important witness. Did Elizabeth Mathewson rest her *only hope* of saving anything from Mr. Carroll's ejectment, *on a conditional arrangement*? Did *she* stipulate that if Overton should fail to pay her, all this arrangement should fail and she have nothing! But still there are two witnesses who send forward their depositions in support of the allegation of conditions, and fraudulent delivery of the deed; and these are Colonel John Franklin, and Colonel Joseph Kingsbery.

COLONEL JOHN FRANKLIN, now very far advanced in years, who has been both civil and military leader of the Wyoming controversy against Pennsylvania from the first stages to the last, and who evidently still feels "the ruling passion," deposes that Mrs. Mathewson's deed to Henry Welles "was delivered into the "hands of a third person, *as this deponent understood and believes*, not to be delivered up to the purchaser, or be of any force, until she should receive payment "for the house and lot." Colonel Franklin goes through with his whole narrative, saying occasionally, "as this deponent understood and believes;" but he does not say that he was present on the 8th of October, when the several writings were made and executed; *neither was he present*. He does not say that he heard any of these things averred in the presence of Henry Welles, or in any manner admitted by Henry Welles:—neither does he say from whom or at what time he *understood and believed* these things; whether in 1807, or recently:—neither does he say that, of himself, he knows anything at all about the matter.

And it is this hearsay evidence that Colonel John Franklin sends forward upon oath, as a testimonial whereupon the General Assembly of Pennsylvania are to LEGISLATE away the rights of property! No paragraph of this deposition, however taken, would be admissible in any Court of Justice:—and as moral evidence, how it sinks when opposed to the testimony of the actors themselves, and the documents they framed and executed!

Next comes the deposition of COLONEL JOSEPH KINGSBERY, who testifies, not to any original knowledge of his own about the deed, but to what he says was proved respecting it before John Shepard, Samuel Gore, and himself, when sitting as referees in the trespass case. This, coming from one who tried the case, seems

to be strongly introduced; and, as is said in the report, "it will be proper to remark that Joseph Kingsbery, one of the referees, *swears positively*." His deposition is as follows:—"But it further appeared in the course of the investigation that the deed from the defendant had not been lawfully obtained; it having been put into a third person's hands to be held, and not given up to the plaintiff, until certain conditions were complied with; which conditions were the foundation of the said deed. And it further appearing to said referees, that the conditions aforesaid had never been complied with, they decided unanimously that they had no jurisdiction of the cause."

"Appeared in the course of the investigation," whereon the referees "decided." Of course this must have appeared by testimony. "Appeared" before the referees! *by whom did it appear?* Joseph Smith, the ONLY man who has ever so attested swears *that he was not before them!*

David Paine was a witness present on that trial. He is a gentleman known to be of the very first respectability and honor that ever resided in that country. If any such flagrant impeachment of his conduct had been advanced there to his face, it would have caused no small sensation in that community, and no hearer would have forgotten it.

By whom did Colonel Joseph Kingsbery, referee, hear the all important matter that he "*swears positively*" about, which he swears "*decided*" the case, proved before the referees? Joseph Smith was not there, neither by himself nor by deposition.

Colonel John Franklin was present, and opened the defence on behalf of Mrs. Mathewson on that trial, and swears that he *understood and believed* THAT, as hearsay, but does not pretend that it was so proved then.

David Paine swears that he was a witness there, but never was examined at all as to delivery of the deed; that no such thing was broached before the referees, and that no such allegation has ever been mentioned to him by Mrs. Mathewson in repeated conversations!

Samuel Gore, Esq., also a referee, swears that he "does not recollect that the plaintiff was accused of any fraud or collusion in obtaining the deed;" which deed was there presented as in bar to defendant's oath that the title of land would come in question; but says "it is strongly impressed on my memory that the *Intrusion Act* was read," which made dealing in Connecticut titles penal, and all its conveyances void; 3 Smith's Laws 525.⁶

And lastly, Colonel Job Irish, an unlicensed practitioner of great ability, acted there as managing advocate for Mrs. Mathewson, and by deposition "swears positively" that he presented defendant's affidavit that the *title to land would come in question*. As a bar to that, Henry Welles offered the deed of Mrs. Mathewson to him for the premises in trespass; a deed recorded by Colonel Franklin as Clerk of the Susquehanna Company. That no pretence was made as to unfair delivery of that deed, and that he never heard of any such thing from Mrs. Mathewson or any other person then, or at any other time thereafter; *but that he shut that deed out of evidence by reading the Territorial Law then in force, making all sales and conveyances of Connecticut title void and penal*.

Mr. Gore names it the Intrusion Law; and *that* was what "decided the cause," and decided it legally.

Thus it was in clear proof before the committee, that the deed to Henry Welles was absolute and immediate;—that the bond to Overton was its consideration had and received;—that this arrangement was a fair and amicable transaction, done for the *sole benefit* of Mrs. Mathewson, and completed by surrender of possession to Henry Welles, as will appear hereafter. It was also in proof, as will be shewn, that as the *expressed* consideration of the deed to Henry Welles, his bond to Overton, was afterwards virtually released by the latter, that still Henry Welles sustained the consideration equitably, by leaving to Mrs. Mathewson the house and lot, when the *habere facias* was executed by the marshal; in consequence of which, she still retains it. So that the deed holds good as a transfer of possession so far as Mrs. Mathewson for herself and Elizabeth Mathewson and Elias Satterlee as executors, could convey it;—and that, as will be hereafter shewn, goes to the full extent.

⁶ This citation refers to the so-called "Territorial Act" of April 6, 1802, which imposes these penalties.—Ed.

ALLEGED DISCONTINUANCE OF THE EJECTMENT

The report makes another assertion respecting the transaction of October 8, to wit, "In consequence of this arrangement it *was agreed* that the action of ejectment *should be discontinued*; and Welles gave Mrs. Mathewson a bond of indemnity against the cost of that suit." Again, in these words:—"Welles had recourse to the action of ejectment of Charles Carroll *vs.* Mathewson, which he *had agreed to discontinue* and pay the cost, in pursuance of the arrangement of "October 8, and which Mrs. Mathewson was led to believe was at an end, relying "on the agreement of Welles."

No member of this House who had not examined for himself could, on hearing this report read, have for a moment doubted, that a point so important, and so seriously averred, was fully made out in the testimony. In what language then, can it be said within these walls, that serious, positive, important and repeated as this averment is, it is a *sheer falsehood*, and that alone!

No document, no deposition, no circumstance, no legal or moral evidence sustains the reporter in this peremptory assertion; but even the Bond of Indemnity itself, which he dares to quote, flatly disproves it! John Franklin says "that during the pendency of the suit, proposals were made by the agent of Carroll, *as this deponent understood and believes*, to compromise with Mrs. Mathewson." Again, that "*he understood and believes*, that Mrs. Mathewson, in consequence of the proposed compromise, *made no defence to the suit.*" Then Colonel Franklin "believed" that defence was open.

Joseph Kingsbery also deposes that the sales to Overton and Welles was the reason why she *made no defence*; thereby admitting that defence was open.

David Paine, as heretofore recited, describes the arrangement of October 8, as Mrs. Mathewson's sale to Overton of the house and lot, and to Henry Welles of all her other possessions under the ejectment; whereby she divested herself of all interest in the defence, and being indemnified against *all cost that has or may arise*, had nothing left in it to defend.

Thomas Overton's deposition before the committee says nothing about the pretended discontinuance; but concurs with Mr. Paine as to the entire divestiture of Mrs. Mathewson under the ejectment, by sale of her whole interest. But by his affidavit taken December 6, 1825, he states "that he perfectly well recollects "that when the deed was executed, George Welles expressly said that the arrangement then made *should not effect the suit* then pending in the Circuit Court, "except so far as to Mrs. Mathewson's liability to cost."

This later deposition of Mr. Overton's of course was not before the committee; but we shall go on to show that every shadow of evidence that *was* before them, tended to disprove the allegation of an agreement to discontinue.

COPY OF BOND OF INDEMNITY.

Whereas Elizabeth Mathewson, against whom a suit of ejectment was brought by Charles Carroll of Carrollton, and which is now pending in the District Court of the United States, for the lands the said Elizabeth was in possession of on Tioga Point, hath this day given me the subscriber a deed of possession of all her right to the lands in dispute on Tioga Point aforesaid, excepting the house and lot the said Elizabeth now occupies and possesses. I therefore hereby hold myself obligated and bound to indemnify and save harmless the said Elizabeth from all costs that have or *may arise* in consequence of the aforesaid writ of ejectment brought against her by said Charles Carroll. In witness whereof I have hereunto set my hand and seal this eighth day of October, 1807.

In presence of
DAVID PAINE.

HENRY WELLES. [Seal]

COPY OF RECEIPT FOR SAME GIVEN WHEN DELIVERED
TO MATHEWSON.

Whereas an article of agreement between Betsey Mathewson and Elias Satterlee of the one part, and Thomas Overton of the other part, (purporting that the said Thomas Overton was to pay the party of the first part, seven hundred dollars at the times therein stipulated, in consequence of which the said Elizabeth,

or Betsey was to deliver to the said Overton peaceable possession of the house and lot she then and now occupies on Tioga Point,) was placed in the hands of David Paine for the benefit or use of the parties when necessary. And whereas the said Thomas Overton hath failed in complying with the conditions of said article, the said David Paine hath delivered to us the subscribers the said article of agreement that we may have the benefit thereof, agreeably to the express stipulation of the parties.—Their agreement is dated the 8th day of October, 1807.—We have also received of said David Paine, a writing from Henry Welles to Elizabeth Mathewson, wherein the said Henry binds himself to save the said Elizabeth harmless from all costs that has *or may thereafter arise*, in consequence of a writ of ejectment brought against her by Charles Carroll of Carrollton.

Witness our hands this 21st day of October, 1808.

JOB IRISH.

BETSEY MATHEWSON.
ELIAS SATTERLEE.

These proofs were all in the hands of that committee; and much more, abundance more, as will soon be recited. What becomes of the bold falsehood of "agreement to discontinue Mr. Carroll's ejectment"? Every evidence establishes the fact, that by sale to Overton and Welles Mrs. Mathewson had parted with all interest, and had none left to defend. Colonel Kingsbery deposes that was "the reason why the said Elizabeth made no defence."

Again, let the averment as to conditionality of the deed be recalled, and confronted with the assertion as to discontinuance, and see on what gross absurdities the claim of Mathewson attempts to stand. What! did Henry Welles agree to discontinue *unconditionally*, on the faith of a *conditional* deed?

THE SATTERLEE LEASEHOLD.

Again, it is set forth in the report that Elisha Satterlee owned the Connecticut title to four of the lots claimed by Carroll's ejectment; that Mrs. Mathewson as to these four lots was seized of nothing more than a leasehold, continued in her occupancy. It also appears, by deposition of Elisha Satterlee himself, that Mrs. Mathewson had notified him of Carroll's ejectment, and warned him to defend his claim to the lots in her tenancy. Mrs. Mathewson's deed then, as to these lots, might be held to have no virtue further than transfer of leasehold; and leave still under question a possessory right in Satterlee.

Did Henry Welles, then, or George Welles, agree to discontinue Mr. Carroll's ejectment, when forty acres of the flat covered by the ejectment might be questioned as not fully conveyed by her deed, as the law was then supposed to be?

It is true that the unconfirmed Connecticut title, being a rebellious holding against the laws of the State, could not sustain a descent, or support the relation of landlord and tenant, or be in any manner countenanced or considered as having life under the laws of this Commonwealth; but this legal deduction from original principles had not at that period been developed by the courts.

And now we reach another body of testimony, entirely unknown to Henry Welles, that was all this while in the hands of the leading member of the Committee, and full of evidence negating every assertion that he imposed upon the House. These papers were *permitted to remain UNKNOWN to Henry Welles*, throughout the whole examination; and [were] afterward produced and quoted in debate, when time would not admit of a careful examination, whereby their favorable character could be ascertained, and an unfair use of them detected.

JUDGE HUSTON'S NOTES OF EVIDENCE IN MATHEWSON V.S. SATTERLEE.

It is set forth in the report "that Elisha Mathewson was owner of some lands "[Connecticut title] on the opposite side of the river; and Elisha Satterlee owned "four ten acre lots [Connecticut title] adjoining Mathewson on Tioga Point. By "an agreement between Mathewson in his lifetime, and Satterlee, Mathewson occupied and used Satterlee's lots on the Point, and Satterlee occupied and used "Mathewson's land on the opposite side of the river."

The right of Elisha Satterlee to the lots on Tioga Point occupied by Elisha Mathewson as his tenant in exchange, ceased, October 1807, by judgment against the terre-tenant, Elizabeth Mathewson, in favor of Charles Carroll. Those lands being thus lost, John F. Satterlee, son of Elisha Satterlee, April 1, 1812, purchased the old Pennsylvania title of Joseph Wharton, under patent August 17, 1781, covering the lands on the east side of the river, which Elisha Satterlee had received of Elisha Mathewson, on their exchange of use. Elizabeth Mathewson, supposing that the survey of Wharton could not be proved, had, a short time previous to this, to wit, January 10, 1812, taken out a warrant under the commonwealth for the same land, then in possession of Elisha Satterlee; on which warrant, survey and patent issued to her in trust for the heirs of Elisha Mathewson, February 19, 1813. During the year 1813, she made two several attempts to recover the possession from Elisha Satterlee under the landlord and tenant law; but failed in each. Finally she brought ejectment against Elisha Satterlee and John F. Satterlee, as of No. 60 Dec. Term, 1820, Bradford County; which came on for trial at a special court, September 1821, before President Judge Charles Huston; and the mass of papers spoken of, are his notes of evidence taken on that trial.

The plaintiff, Mathewson, sought to recover in that cause, first, by the deficiency of Wharton's survey, or the failure of its proof;—second, by the supposed lease of Mathewson to Satterlee, whereby the latter came into possession. Setting aside the question of survey as irrelevant to *this* case, it is obvious, that to place himself on equitable grounds before the jury, it became Satterlee's interest to show that Mrs. Mathewson had *sold* to Henry Welles the lots of his which her husband and herself had held on Tioga Point under the exchange. Accordingly he did produce in evidence her deed to Henry Welles, conveying in the fullest manner all rights or lots on Tioga Point which Elisha Mathewson died seized of; as also all her own and the executors' occupancies and possessions on the premises, excepting the house and lot only. On the other hand, it became Elizabeth Mathewson's interest to prove that, notwithstanding her deed to Henry Welles, Satterlee's right to the lots on Tioga Point, which she had occupied under the exchange, had not been affected by her act, and was still unimpaired; then—

Firstly: If she could have shewn that Henry Welles had gotten possession of Satterlee's lots, *inter alia*, fraudulently, under an *habere facias* issued on a judgment entered after a *discontinuance* had been agreed on, *that* would have been good evidence in her behalf.

Secondly: If she could have shewn that her deed to Henry Welles was *conditional*, and *void* by failure of condition, *that* would have been good evidence in her behalf.

Thirdly: If she could have shewn that Henry Welles did *not receive possession* under her deed, *that* would have been good evidence in her behalf.

Fourthly: If she could have shewn that she sold by that deed *only her leasehold* estate under Elisha Satterlee, *that* would have been good evidence in her behalf; and admissible, also, for it might not go to contradict her own sealed instrument. It is clear that the establishment of these points must have been material to the equity of Mrs. Mathewson's cause. The voluminous notes of Judge Huston show that no stone was left unturned.

1. Did Elizabeth Mathewson prove, or, attempt to prove, on the trial before Judge Huston, that Henry Welles, three days before the return day, had agreed to discontinue the ejectment, and of course that the possession obtained under *habere facias* was wrongful, and could be broken up on application to the Circuit Court?

There is one expression in Judge Huston's notes of Henry Welles' testimony as follows: "A suit was pending in the Federal Court, returnable to next "October, which ended in this compromise." The literal meaning of this separated passage, is, that there was a compromise that *ended the suit*; but there are evidences on the face of the same papers, showing that the Judge has put down words different from those used by the witness. One is this: the *literal* meaning of the passage is entirely incompatible with that which immediately follows; for only three lines below the notes continue thus: "Judgment had gone by default

"in Philadelphia—she went on and began to plow—a dispute—I got a writ of possession, and the marshal put me in possession." Now it is evident that the witness could not have said in one breath, that the suit was discontinued October 8th, and in the next breath that he took out a writ of possession on a judgment entered in that suit after discontinuance. The suit *resulted* in a compromise with Henry Welles, but there is no evidence that it was "ended." Another evidence is, that no such pretence is countenanced by the notice which the subject received in the judge's charge, as will be seen hereafter.

2. Did Elizabeth Mathewson prove on that trial, or attempt to prove, the other point alleged in *this* case, and which, if true, would have been material in *that*; to wit, the conditional nature of the deed, and the failure of that condition?

Examine the testimony. Not one word was said on this subject. No such pretence was set up on that trial. No such story had been invented *THEN*. *Joseph Smith* was there and examined; but Mrs. Mathewson's pretended reason for the temporary retention of the deed by David Paine had not *THEN* been inserted in his memory.

Thomas Overton was there, and examined; but no question of this nature appears to have been put to him; though he, of all men, was the *very man* who would have been questioned on that subject, if any such thing had existed in truth.

John Franklin was there, and examined at great length; but he had *THEN* no such hearsays to "believe."—

Joseph Kingsbery was there, and examined; but he had nothing *THEN* to say about the all important fact, which he now swears was proved on trial of the trespass case, and "*DECIDED*" it. He was not making up a *secret, ex parte* affidavit *THEN*; but stood on open ground, in presence of Henry Welles, under examination of counsel, and on oath before court and jury.

3. Did Elizabeth Mathewson then prove or attempt to prove, that Henry Welles did not receive possession under her deed? No such testimony appears to have been attempted. Henry Welles is noted as having said, "We built a corn-house on one of the lots the fall after the deed." The erection of this corn-house was admitted by Mrs. Mathewson before the committee of last session; alleging that it was on one of Satterlee's lots. The judge's minutes contain a palpable inaccuracy on this subject; a few lines below his mention of the corn-house, built during a possession under the deed in November 1807, he notes Henry Welles as saying on cross examination, "I did not get possession under this deed." It is obvious that the witness must have said that the undisputed possession which he *then* held was not obtained under Mrs. Mathewson's deed, but under Mr. Carroll's ejectment; as is explicitly said in the notes of his examination in chief, a few lines before.

4. Did Elizabeth Mathewson prove on that trial that she sold to Henry Welles only her leasehold possession of the four lots which she occupied in exchange under Elisha Satterlee?

The deed conveys all right, title, claim and demand which Elizabeth Mathewson and Elias Satterlee, as executors, had in, or to all those lots and parcels of land which they then occupied and possessed on Tioga Point; meaning by these presents to convey to said Henry Welles, all the right to the aforesaid tracts or parcels of land which Elisha Mathewson died seized of; as also the right of possession which the aforesaid Elizabeth then held by actual occupation, or otherwise, excepting *only* the house and lot.

The whole scope of evidence in Mathewson *vs.* Satterlee shows that Elizabeth Mathewson was then in possession of the four lots; or to put it on the closest grounds that can be pretended, that these lots came fully within the clause conveying "the *right* of possession which the aforesaid Elizabeth now holds by actual "occupation, or otherwise." That this clause includes them cannot admit of dispute; for it is granted by the whole proceeding that no re-exchange had taken place. Her declarations then, as to Satterlee's lots, are of no avail against the express conveyance of her *right* of possession; and her disclaimer of possession is of no avail against the *fact of actual* possession, and *right* of possession, which is in evidence. Her declarations cannot go to avoid her sealed instrument; but

they may go to prove notice to Henry Welles and George Welles as to the nature of her right in those four lots; which was only a tenancy by exchange under Elisha Satterlee. Her words then, attested by Joseph Smith and Thomas Overton, are evidence of that notice.

What consequence is deducible from this? Why, that with this repeated warning in their ears, George Welles, or Henry Welles, could not possibly have been so insane as to have agreed to a discontinuance of the ejectment; by the result of which, alone, the rights of Satterlee were to be concluded.

[It may be well enough to add here, that the *Welles third* included only about *one half* of Mathewson's possessions covered by the ejectment; the remaining *half*, belonging to the Carroll two thirds; and of course, that Henry Welles, though interested in the suit, had no power to discontinue it; and this was well known to the Mathewsons and all others concerned. C. F. W.]

JUDGE HUSTON'S CHARGE.

Furthermore, to shew Judge Huston's view of this branch of the testimony between Mathewson and Satterlee on that trial, we will recite all the mention which he makes of it in his charge to the jury:

"But it is said that Mrs. Mathewson lost, or gave up, the lands on the *Point* "held under Elisha Satterlee; and therefore she cannot recover for her children, " (read the testimony on this point): You will decide whether there is not proof "that Satterlee had notice of the suit against her, and even consulted very distinguished counsel on the case. You will consider whether the loss of that land "was not a misfortune common to such titles, and inevitable until the Compromising Law; a misfortune, but not the fault of any person; at all events even if she "was culpable, that is no bar to the recovery in this case."

It is evident that this charge recognizes Mrs. Mathewson as having suffered an inevitable loss at law; as having given up the Satterlee lots blamelessly, after notice to her landlord. Nothing appears to indicate any suspicion of unfairness about the transaction, either as to her conveyance, or as to the possession under *habere facias*. Such would not have been the language of Judge Huston had any of the allegations now set up been even *suggested* before him. Nothing appears in the charge, nothing in the notes, to countenance these allegations; hence it follows, that even by these papers, in addition to all the other testimony, it was palpable before the committee, that the allegations of conditional deed, unfair delivery, and discontinuance of ejectment, were *recent* pretences, invented since the trial between Mathewson and Satterlee in September 1821.

But there is yet other evidence, coming still nearer home; the very paper which the committee who returned that Report *were designated to examine*; the petition of the party herself, dated November 30, 1822. Does that paper say that it was agreed by Welles, in the arrangement of October 8, 1807, that "the ejectment *should be discontinued*," and that "Mrs. Mathewson *was led to believe it was at an end*"? No such thing! The petition says, that her deed "was placed in "the hands of a third person, to be delivered on the performance of certain conditions; and although the condition was never performed, the deed was delivered "without her consent. *By this negotiation she was DELAYED* from making any "defence, and judgment passed against her by default." *Even the petitioner* does not say that the action was to be *discontinued*; but that she was thus *delayed* from making a defence! Hence it appears, not only that the allegation of discontinuance is a recent pretence, but that it is not even among the *INVENTIONS* of the petitioner!

POSSESSION UNDER THE DEED.

The next item to be shewn is that shortly after execution of the deed, October 8, 1807, Henry Welles went into quiet possession of the lands purchased of Mrs. Mathewson, built a corn-house on one of the lots, and continued in occupancy undisturbed, until Mrs. Mathewson attempted to resume possession, about the 1st of April, 1808.

We shall show that there was *legal evidence* before the committee of Henry Welles' possession at the commencement of the month of April; nevertheless let it be seen what the report says about it.

"Mrs. Mathewson, in the Spring of 1808, *continued* to farm the land as *usual*, when Henry Welles attempted to take possession under the deed. Mrs. Mathewson however succeeded in resisting him, and Welles instituted an action *"of trespass done and committed on real estate, against Mrs. Mathewson."*

Now every man of common information, and certainly every *lawyer*, knows that the action of *trespass on the close*, is a possessory action, and will not lie, unless the plaintiff was, at the time of trespass, actually in possession of the premises infringed upon. John Saltmarsh, Esq., the justice who issued the summons, Colonel Joseph Kingsbery, John Shepard and Samuel Gore, Esquires, referees, were all men of full information in this respect. Stephen Sedgwick, Esq., an eminent attorney, advised the action and attended for the plaintiff. Job Irish, a pleader uncommonly shrewd and skillful, appeared for the defendant; and no witness says that any plea was moved against the plaintiff's right to institute such action; but all agree that the plea was against the justice's jurisdiction over it, in consequence of defendant's oath that the *title to the land* would come in question. The justice's docket, and the defendant's oath against further procedure, is the highest possible admission of the plaintiff's right to institute within the justice's limit, but not to try land titles there. This conclusive proof as to right of action, was in the hands of the committee, when drafting the report that misstates and denies it. There was also in the hands of the committee at that time, the marshal's return upon the *habere facias* of Charles Carroll, in which, after describing one of the lots delivered, Mr. Hart adds, that "on this lot Henry Welles *"has built a corn-house;"* which of course must have been erected between the dates of October 8, and April 1; and could not have been done without peaceable possession.

Furthermore, it was expressly admitted by Mathewson, in presence of Henry Welles before the committee, that Henry Welles did built the corn-house there, as set forth in the marshal's return, but she alleged that "it was on one of Satterlee's lots." Now it was apparent before the committee that the deed makes no distinction between Mathewson's and Satterlee's lots; and as the whole lie within a common enclosure, the possession of a part is a possession of the whole.

This fact of quiet possession from October 1807 to April 1808, proven by the corn-house, and by the trespass suit, is not however material to this question; further than it shews that Welles went into immediate possession, unopposed; which could not have been the case, had it not been in accordance with the agreement of October 8.

CHANGE IN MRS. MATHEWSON'S VIEWS.

It has been shewn that in the month of November, 1807, Henry Welles was in quiet possession under Mrs. Mathewson's deed, and building upon the land undisturbed; but that in the month of April following, Mrs. Mathewson had adopted a new idea, and was determined to resume the occupancy. The exact period at which this change in her designs occurred, cannot be ascertained; but there are passages in the testimony that throw some light upon it, and the *date* of the change may assist in discovering the cause.

Thomas Overton deposes, that a short time before his first installment became due, in April 1808, he offered to pay Mrs. Mathewson the money and that she declined it; saying that she would rather have it all in one payment, lest she might be induced to lend it. It is not certain whether or not she was sincere in this; but Mr. Overton testifies that shortly after that tendency, her children began to spread their threats that they would not concur in their mother's sale. When the second installment became due, and he came up to pay it, he was told that the heirs would not consent to the sale; but would claim the house and lot whenever their mother's life estate should cease. One of the children, grown up to womanhood, *menaced him in her mother's presence*; saying, that he "might depend upon it the children would call upon him." It is obvious, then, that *at that time* there was a family design to prevent Overton's adherence to his contract for the house and lot; and in all probability that design had commenced in embryo before her declination of the first offer of payment. Hence it is evident that at some period about February or March 1808, a change had commenced in her views, which de-

cided her to prevent Overton, if possible, from adhesion to his contract. The cause for this change may perhaps be found.

Doctor Robert H. Rose, agent for the Pennsylvania owners of all the north-western section of the present county of Bradford, sojourned at Tioga Point during the Winter of 1807-8; laboring to effect a compromise with the numerous Connecticut settlers in possession of lands belonging to his employers. Experiencing considerable opposition, stimulated in a great measure, by inhabitants of the river towns, he found it necessary to divide their strength, if possible; and attempted to effect it, by throwing out to the settlers on the river, a hope that the Legislature might be induced to extend the compromising system unto the townships of Athens and present Ulster. Coming from such a source, the hope was accepted by some, although repelled by others; and it is probable that from this period Mrs. Mathewson began to conceive ideas from which arose the hope that by frightening Overton from fulfillment of his contract, she might destroy the consideration, and thus invalidate the deed to Welles; go into possession again, and hold on until the promised act should pass. It is not improbable that she may have thought the transaction of October 8, 1807, might be so described as to invalidate the recovery in ejectment, or that it might be in some way prevaricated.

In shewing, from these public circumstances, that the first suggestion of an extended Compromising Law, to include Tioga Point, was made in February 1808, it is evinced that at the date of the amicable arrangement and judgment in default in October 1807, no idea of any such measure existed in the country; of course that at that period neither Henry Welles nor Mrs. Mathewson, nor her advisers, had foresight of such proposition; and consequently, that in acceding to the proposal, which it is in proof was made on behalf of Mrs. Mathewson, Henry Welles was not influenced by apprehension of any such act of assembly; but *conferred* a benefit of value, and *received* none, any further than it may have been preferable to acquire possession amicably, rather than by the marshal's process.

Although the idea of petitioning for an extension of the Compromising system, was in February 1808, a topic in the country, nevertheless it was clearly a very hopeless project. The jurisdiction of Pennsylvania was by this time so far efficient as to enable owners under the Commonwealth to obtain possession without bloodshed; the formidableness of the Connecticut association was broken down; the spot to be petitioned for was obnoxious as the last retreat of rancorous opposition; the temper of the Legislature was rising against the then existing Compromising Laws, as still appears of record in their suspension by the Act of March 28, 1808, passed during the very winter now under consideration; and hence it is apparent, that throughout the summer of 1808, the prospects of the suggested application must have been governed by all these decidedly hostile circumstances. Henry Welles, then, had the amplest reason to *know* that the Legislature of that period, even if possessed of constitutional power, would pass no act in the least degree injurious to the interests of any claimant under Pennsylvania; therefore his movements in this case could not have been influenced by any such apprehension. Premising this, we shall proceed to the narrative of the case; which, as the particulars have been mostly anticipated, may now be passed with brevity.

TRESPASS SUIT AND WRIT OF POSSESSION.

Near the first of April, 1808, Mrs. Mathewson went on to plough the lands. Her teams were warned off by Henry Welles; who finally brought action in trespass, *quare clausum fregit*, before Justice Saltmarsh; which was referred to Gore, Shepard and Kingsbery, all holders under the Connecticut title; before whom the defendant offered to swear that the title to lands would come in question. The plaintiff's counsel exhibited her deed for the lands, to show that she should be precluded from that oath; but the deed being rejected as a nullity and a penal thing, according to the Territorial Law, her oath was admitted, and the suit thrown out of the justice's jurisdiction. Upon this, Henry Welles made no further effort against Mrs. Mathewson's resumption; but on the 5th day of July, 1808, a writ of *habere facias* in favor of Charles Carroll, upon his judgment by default in the Circuit Court was executed by Jacob Hart, Sheriff of Luzerne County, as Deputy Marshal; and all the lands covered by the ejectment (except the house and lot), delivered to Henry Welles as agent for Charles Carroll of Maryland.

The house and lot were not only left to Mrs. Mathewson, but Henry Welles permitted her to take off all the growing crops (5th July before harvest); gave her a lease of four lots for the next year, exempted her from cost, and promised to get her the Pennsylvania title for the house and lot; thus, notwithstanding her conduct, still sustaining the equitable consideration of her deed. Certainly this was liberal treatment, and such as could not have arisen from unmanly motives; but let us see what this report says about it:

"Efforts were made by the marshal," says the report, "to get possession of the house and lot occupied by Mrs. Mathewson; but he was *unable* to get in, in consequence of the house being fastened."

It is obvious from the beginning to the termination of the ejectment, that no intention of taking the house and lot *ever existed*. If directed otherwise, it would have been the marshal's duty to take possession, fastened or unfastened; and of course he would have done so. What is the testimony?

Nathaniel Satterlee, since deceased, deposes that Mrs. Mathewson "locked herself up in the house and prevented the marshal from taking possession of it; and that he believes, but does not state positively, that Mr. Welles was within a few rods when Mr. Hart was trying to enter the house."

— Snell, deposes substantially to the same, as to fastening of the house.

Job Irish deposes, that he "was sent for by Mrs. Mathewson to attend as her counsel when the deputy marshal was up with the *habere facias*; and understood from the said Elizabeth, that she had shut her house with intention of resisting the marshal, but on the assurance of Henry Welles that she should not be disturbed in the possession of her house and lot, but that the same should be re-leased to her, she had opened her doors."

These witnesses fully corroborate each other, and show that Mr. Hart in knocking at the door, called to inform her of his execution of the writ; and that he was directed *not to take* the house and lot.

Again, the report asserts "It *appears* that Mr. Hart, the deputy marshal, advised Mrs. Mathewson to apply to the court and have the judgment opened; this was in the presence of a man of the name of Job Irish, who had been acting for or was employed by Mrs. Mathewson. Irish communicated this to Welles; who proposed to give her the crops on the ground, and the use of four lots next year, and get her the Pennsylvania title for the house and lot. Irish advised her to agree, which she did." The report says, (on oath,) that this "*appeared*;" meaning to convey that it appeared by testimony before them:—*but WHERE is the testimony that shews it?* Nathaniel Satterlee, — Snell and Job Irish, are the only witnesses of this period; and *neither of them* says, that Hart gave any such advice; *neither of them* says that Mrs. Mathewson *ever spoke* of opening the judgment. The voluntary liberality of Henry Welles on taking possession is called the "agreement," the "arrangement of July 7, 1808;" and the report asseverates that this arrangement, "it appears," was *induced* by the advice of Hart to apply to the court and have the judgment opened, "*WHICH WELLES WAS ANXIOUS TO PREVENT.*"

Not one word of all this was supported by the evidence before the committee!

If these were Mrs. Mathewson's assertions, why were they not given as such? If they were Mrs. Mathewson's assertions, and corroborated by the legal position of the parties, they might have been moral evidence, entitled to repetition as hers, in the report.

If, on the other hand, they were Mrs. Mathewson's assertions, unsupported by testimony and CONFUTED, IMPOSSIBLE within the legal position of the parties, why were they introduced as "appeared in evidence"? What was the legal situation? What title could she have sworn to in her affidavit, on motion to open the executed judgment in ejectment? Which could she plead, the Intrusion law or the Territorial law? On the other hand, had Charles Carroll, or Henry Welles, anything to fear from any court of justice? Had they anything to fear from the Circuit Court of the United States? Had they anything to fear from the Pennsylvania Legislature of those years? Certainly not. Did Jacob Hart, then,—did a man of his known sense and information "*advise*" Mrs. Mathewson to apply to the United States Court and have the judgment opened? Did he, a man so well acquainted with the outlawed condition of Connecticut claims, "*advise*" her to incur such

hopeless expenses? Surely he never could have so advised; neither could she ever have entertained a moment's thought of such a measure. Neither could Henry Welles have been ANXIOUS TO PREVENT a step so harmless. Why then is it, that this report, without evidence, and in defiance of known laws, adopts the palpable falsehoods of the party interested, returns them to the House as "appeared" in testimony, perverting the liberality of Henry Welles into the deep bribery of an oppressor, trembling lest his sinuosities should be detected?

BEDFORD AND ULSTER ACT OF 1810.

Petitions from the townships of Bedford, present Ulster, and Athens, praying for an extension of the Compromising law of 1799 and supplements, were presented to the House of Representatives by Mr. Satterlee, in February, 1809; and after a favorable report, the subject was recommended to the attention of the next Legislature. Before this period, Henry Welles, being then young and unacquainted, had taken some pains to ascertain what bearing the Act proposed would have on Pennsylvania owners in possession. He was informed by the Commissioners under the Act of 1799, that no such person ever had been, or ever could be, disturbed by that act; that the policy and intention of the system, as well as constitutional rights, clearly protected those in occupancy under the State; but that nevertheless it might be well to procure the introduction of a provision into the bill which should expressly declare that construction. Accordingly he wrote to Mr. Palmer of the Senate, 1808-9, to remonstrate on behalf of Pennsylvania owners in possession; or in case the bill should pass to see that it should be so shaped as to do them no injustice or disquietude. Mr. Palmer replied that all concerned might be sure that he would attend to that point. The proposed measure was also a subject of correspondence between Mr. Caton and Henry Welles; the former expressing his willingness that the Act should pass and take effect, as to the lands of himself or Mr. Carroll, still possessed by Connecticut settlers, and leave him to his remedy upon the Commonwealth. All the Pennsylvania owners *not in possession*, were willing that the Act should pass, and they take their remedy; the sentiments of the House, however, were decidedly and almost unanimously unfavorable.

Henry Welles was elected to succeed Mr. Satterlee in the House of Representatives for the next session, 1809-10, and took his seat a new member and a young man, conscious that the success of this petition was the first wish and chief interest of the immediate country which he represented. It was the only important object to be effected for his near constituents; many of whom had preferred *him* especially on this account, imagining that a Pennsylvania claimant would be heard most favorably. Upon the quieting of those old settlements upon the river, furthermore, depended in a main degree the submission of the settlers who occupied the new townships, a large proportion of Bradford County.

The bill met with very strong opposition. Athens was decisively stricken out on motion of Mr. Frailey in the House of Representatives; and its operation restricted to the imaginary line of Old Ulster; *that* having been designated as one of the seventeen townships. Without this amendment the bill would inevitably have failed; and even then, notwithstanding his best exertions, it was so narrowed down as to benefit none other than those who had been settlers actually resident in said township, or in some one of the seventeen townships, on the 28th March, 1787; and after all met with strenuous resistance, and passed with difficulty.

THE PROVISIO.

The last charge set forth in the report against Henry Welles, is, that in drafting the bill thus passed into an act of this Assembly, he inserted, or caused to be inserted, (for it is believed that it was drafted by Mr. Ellmaker, Attorney General,) a *Proviso* that did not exist in the Act of 1799, as follows: Sec. 7. "That nothing in this Act shall be construed or understood to authorize or empower the said Commissioners to certify to any person or persons any land "within the said townships held or claimed under a Pennsylvania title, under a "patent, location, warrant, or settlement, where the Pennsylvania claimant is in "actual possession or occupancy of the land, either by himself or tenant, at the "time of the passing of this Act":—and that this proviso alone was the impediment whereby Mrs. Mathewson was excluded from the benefit of the law.

In reply it will appear that she was *not* excluded by this proviso *alone*; but that, even if this provision had been omitted, Mrs. Mathewson, waiving her deed to Henry Welles, could not have obtained a certificate for the lands in possession of Welles and Carroll; the expulsion of Pennsylvania settlers being contrary to the policy and intention of the Act, and of all such; as is established by the decisions of the Commissioners, and the opinions of the Supreme Court upon a like act, that of 1799; and that therefore the proviso of 1810 was merely *declarative of pre-existing law*, and of constitutional rights as recognized by decisions theretofore settled.

It is obvious that action under the Compromising system of 1799 in relation to Pennsylvania owners in possession, must have been limited in the hands of the Commissioners by two distinct considerations:—

1. by the boundaries of legislative power;
2. by the policy and intention of the Act itself.

As to the first consideration: the act termed Compensation Law stretched legislative power to its very widest extent. *The Constitution of Pennsylvania, Article 1, Sec. 13*, declares that each House "shall have all the powers necessary for a branch of the Legislature of a free state."

A large portion of the Commonwealth's territory was held by an hostile possession, under the adverse claim of Connecticut; rebelliously continued after decision had between the two states at Trenton, and rapidly increasing.

The Commonwealth, subsequently to the Trenton Decree in her favor, had sold the whole of this territory to numerous individuals of her own citizens, and received full payment; investing them with rights declared "forever inalienable" by the Constitution. She then was bound to put her purchasers into possession; and that impossible without recurrence to military force. Under these grave circumstances, she paltered and delayed. During every moment of delay the intruding power was gathering strength. The brief alternative was this:—to yield and be despoiled, or plunge at once into civil war.

Finally, the Legislature of Pennsylvania decided that it had become "*necessary* for the Legislature of a Free State," even at the expense of a violation of vested rights, to break the strength of this growing combination, by quieting certain possessions.

The seventeen townships granted prior to the decision at Trenton, December 30, 1782, distinguished their preference for favor; jury compensation provided for the Pennsylvania owners; and the Legislature thus evaded the emergency, by divesting actual owners and quieting actual possessors, as a State necessity, in avoidance of civil war.

On this ground, then, the Acts of 1799 and supplements were held to be constitutional in relation to *Connecticut settlers* in actual possession. But in relation to *PENNSYLVANIA OWNERS in actual possession*, the State of Pennsylvania could be under no necessity of waging civil war to put or protect them in possession, so long as the *fact* of possession proved that no such necessity existed. Therefore, it could not be "*necessary*" for the Legislature to turn out a Pennsylvania owner in possession, and put a Connecticut claimant in:—

Therefore, the Act of 1799 and supplements, could have no constitutional force against Pennsylvania owners in possession.

POLICY AND INTENTION.

The plan adopted by the Legislature at that period was, to draw an equitable line of discrimination, which should divide the force of this formidable combination. To concede the whole, would have been an imbecile abandonment of rights; to compensate all the Pennsylvania owners, would have swept the treasury. An obvious distinction was adopted.

By the act passed April 4, 1799, and its supplements, called the *Compensating or Confirming Laws*, provision was made to quiet the possessors of such lots, within the seventeen townships, as had been acquired under the rules of Connecticut, at a period when such entrance and acquisition *had not been judicially marked as a violation*. Those lands granted, entered, and acquired, before *decision* had between the two states, were held to have been entered and acquired *excusably*; and therefore, as a matter of grace and *expediency*, and not as a mat-

ter of *right*, the Legislature enacted to quiet such possessions. It is evident that the policy of this measure was to divide and weaken an existing opposition, by quieting such certain possessors. The eviction of the Commonwealth's own citizens would have been a step *retrograde* from this policy; therefore, it follows that such could not have been the object and intention of the acts. The aim of the whole system was to quiet settlers in possession; therefore it could not enure to the benefit of those who had no possessions wherein to be quieted.

Waiving the Constitution then, it is evident that in these acts no principle was recognized which could be stretched to the eviction of Pennsylvania owners in possession. *These* did not enter on grounds merely excusable; they entered of *right*, under the *invitation* and *contract* of the Legislature; *paying* the Commonwealth and *supporting* her laws. This was not a class which the Legislature would have desired to extinguish; such citizens were greatly needed *then* in every section of that country.

"The object of the lawgivers," says Justice Yeates, in *Enslin vs. Bowman* (6 Binney, 472), "was not to recognize the validity of the titles held under the Susquehanna Company, but to quiet the possessions of those who were the *real occupants* of lands under that claim";—for, says Chief Justice Tilghman, in the same case, "it will be difficult to assign any motive, either of justice or policy, which should have induced the Legislature to take away the rights of their own citizens in order to make way for persons who had rendered the State no service, but had on the contrary been the authors of much disturbance, expense and vexation."

Under the Compromising system of 1799, then, no validity was given to the title of a Connecticut claimant, *out of possession*, whereby he could have obtained certificate, patent, and recovery against a Pennsylvania owner in possession; and no such monstrous principle would have received a moment's toleration in the Legislatures either of 1799, 1802, or 1810; even if a principle of that extent could constitutionally have been put in force.

That the Commissioners under the Act of 1799 and supplements, did so construe those acts, and regulate their practice under them accordingly, will appear on examination of Judge Cooper's correspondence with the Secretary of the Land Office, now remaining in that department; and which was examined by the Committee of last session, *at least by the active and reporting member of that Committee*.

As further evidence, unnecessary however, the deposition of Nathan Beach, Esquire, not obtained in time to lay before the committee of last session, but which was before the House and quoted in debate. He testifies as follows: that when the Commissioners proceeded, as directed by the supplement of 1802, "in surveying the town of Salem, they found persons in actual possession of land, who held the same by virtue of a Pennsylvania title. Mr. Cooper wrote to me, as one of the township committee, to call at his office, which I did; he informed me that those persons holding titles derived from the Commonwealth and in possession of their land at and before the passing of the law, could not be disturbed; and said, if he had been informed of their situation he would have had a provision in the act in their favor. He also said the law was intended to quiet the actual settlers in those townships. Accordingly the Commissioners did direct their surveyors to survey to those settlers that had Pennsylvania titles and were in possession of their lands, agreeably to their patents; to wit, to George Smithers and Christian Hans; and a part of the town of Berwick, which was taken out of the Connecticut certificates; as will appear on the drafts of said townships." He adds, "that eighty one acres and some perches was surveyed to Christian Hans and taken out of my certificate; and gave me a certificate for the remainder, which contains about sixty-three acres."

ENSLIN V.S. BOWMAN CASE.

Judge Fell of Luzerne County, clerk to the Commissioners of 1799, deposes that it "was his understanding of the opinions of the Board, that where there was a settler on an improvement under a Pennsylvania claim, on which a survey was made prior to the Confirming Act, the commissioners would not grant a certificate to a Connecticut claimant; but where a settler was on under a Pennsylvania

"claim, originating since the Confirming Act, and the Connecticut claimant made "out his claim to their satisfaction, they would give him a certificate."

The *only* certificate ever issued for lands in possession of a Pennsylvania owner, was granted under this distinction mentioned by Judge Fell; and is the same that was contested in the case of Enslin *vs.* Bowman; 6 Binney. The lot claimed by Bowman, plaintiff below, had been applied for under the Confirming law, the tract being then vacant land of the Commonwealth; and was therefore held by the Commissioners to have been under a degree of promise to the Connecticut claimant. The latter not, however, being in actual possession, the title of Enslin was attached to the same land at a subsequent date, under the Act of 1792, by actual settlement, warrant and patent. The Commissioners held that under these circumstances the Connecticut claimant had priority; but the Supreme Court decided, that as the Confirming Law of that date, 1808, was suspended as unconstitutional, and repealed before any titles were perfected under it, therefore the land being still unappropriated, was fairly open to the application of any citizen; and the patentee in possession held against the certificate, in contravention of the rule adopted by the Commissioners, as stated by Judge Fell.

It has been shown that the warrant to Josiah Lockhart was issued May 17, 1785; patented April 3, 1786; and of course surveyed between those periods, prior to the Confirming Law, March 28, 1787, a date adopted for a discrimination; and therefore, although the decisions of the Commissioners of 1799 and the Supreme Court conflict, as in above case, as to later titles, it is clear that Lottery Warrant No. 1, even if it *had* been included within the provisions of the Act of 1799 and supplements, would, so far as in possession of its Pennsylvania owners at the passage of that law, have been protected under the opinions of *both* these authorities.

As to the date of that possession: the township of Old Ulster having been excluded by the provisions of 1787 and 1799, of course the Connecticut possessions therein took no sanction from those laws; but were without validity either in law or equity until the Act of March, 1810.⁷ Consequently, the possession of Welles and Carroll, obtained at law two years before the passage of the act last mentioned, is, in every legal and equitable respect, as valid as if it had been the actual and resident possession of Josiah Lockhart and assigns from the date of his warrant. See *Daily vs. Avery*; 4 Sargeant and Rawle, 289.

Having shewn that in adjudicating between Connecticut claimants and Pennsylvania owners in possession, the Commissioners under the law of 1799 and supplements, were bound to construe those laws in due respect to the vested rights of property, to the constitutional powers over those rights in cases of State necessity, and to the policy and intention of the Legislature in the exercise of that high power, it follows that they necessarily decided that the Legislature had neither the power nor the intention to remove Pennsylvania owners from possession. Thence it ensues that a similar construction must have attached to a similar act; that the proviso of 1810 was merely *declarative* of pre-existing law, belonging constructively to the pre-existing system; and thence, that had the proviso been *omitted*, the construction of the act must have been the same.

But the meaning and intention of the Compromising Laws can be brought still closer home by recurrence to the wording, *seriatim*, of the acts themselves. For brevity, it is common to indicate the system by its leading act, that of 1799; but that leading act gives the Commissioners no power over any other lands than those *released* by the Pennsylvania owners. Section 5 provides, "that no patents "shall issue to affect any lands, the title whereof shall be in any person or persons claiming under Pennsylvania, until such person or persons have conveyed "their title to the commonwealth." 3 Smith's Laws, 364. This leading act, requiring the *consent* and *release* of the Pennsylvania claimants, assists in defining the intention of subsequent acts. The supplement passed 6 April 1802, is the act which authorized the Commissioners to certify lands *without* the consent and release of Pennsylvania claimants; and directs that if any Pennsylvania claimant of such land, shall refuse or neglect to release the same, "such Pennsylvania "claimant shall not hereafter be entitled to recover the same by any action, in any "court whatever in this commonwealth, against the Connecticut claimant in whose

⁷ The Bedford and Ulster Act.

"favor a certificate shall be granted;" but shall have liberty to sue the state for compensation. 3 Smith's Laws, 526.

There was no need of additional evidence as to the intention of these laws; it is a truism that none ever questioned. By what authority, then, does this Report assert that the proviso of 1810 "is in *direct hostility with all the previous acts passed on the subject*"? The acts of 1799 and 1802 are the only "previous acts" that *touch* the subject in this feature. Where is the "direct hostility"?

It is impossible to attempt a parallel between the *truth* and that Report, without betraying that the latter is a line of *continued deviation*. Committees, we are told, are indivisible; but it may not be a sin against parliamentary law, to remember that in matters of outer life, one designing man may lead many confiding men through many variations.

HENRY WELLES' ACTION AS TO THE PROVISIO.

Having proved a point that surely requires no demonstration, that the proviso was right in itself, it remains next to consider the agency of Henry Welles, as a member of the House, in the passage of that proviso.

It has been shewn that Henry Welles holds under the Pennsylvania title, on which possession was recovered upon judgment in ejectment, October, 1807, several months before the idea of an extension of the Compromising Law was started in the country, and *two years* before he was elected to the House. That the subject and the petition was that of others, and introduced to the House by a preceding member; that he remonstrated to Mr. Palmer, of the Senate, against its passage in any such form as might disquiet Pennsylvania owners in possession; that he was afterwards elected to the assembly, and charged with the duty to advocate the measure, selected in some degree for that purpose; that he finally effected the passage of the bill, in accordance with previous acts belonging to the pre-existent system, except that the one declares in words that which previous acts tacitly, but not less clearly, imply, by their known object and intention.

Now wherein has Henry Welles been guilty of any wrong in this? In what part of this transaction has he traversed in the slightest degree the boundaries of propriety? How else should he have done? In what *other manner* would any member of this present committee have acted in such circumstances? Is there any member here who in like case would have refused to advocate the Bedford and Ulster bill in behalf of his constituents in possession—more especially when, so far as this interest extended, he was elected *for* that purpose, and because he was a Pennsylvania owner—and still more especially when all the Pennsylvania claimants *not in possession*, were willing that the act should pass? On the other hand, is there any member here, who having all right and title, in law, equity and conscience, would in like case, with more than Quixotic chivalry, have *given up* the sixty five acres of the very core of his farm, and thus voluntarily have destroyed the value of his estate?

That Henry Welles held lands under recovery in ejectment, which, if not so recovered, would have been subject to the operation of this Act, was *no secret* in the House. Dorrance and Graham of Luzerne were well acquainted with the fact. Mr. Palmer of the Senate had been expressly notified of it. True, it was not set forth in the preamble, neither was it spread upon the journals—until last session! neither is there a crowd of witnesses here to prove the *notorieties* of sixteen years ago. But what have notorieties, or what have concealments, to do with vested and inalienable rights?

The plea of state necessity, under which the Law of 1799, or rather of its supplement of 1802, was held to be constitutional, is a plea of *expediency*; binding upon the discretion of government, and not upon the consciences of individuals. The benefit obtained enures to the government, and not to the individuals injuriously affected; therefore all such acts, though borne out by a sufficient constitutional necessity, are as respects the owners who are thus divested, *violences* which they may rightfully resist, so far as the laws enable. But when an act of this character passes the legislative body, *unsanctioned* by the plea of state necessity, and without the assent of the parties, it is an unconstitutional usurpation; and not only *may be*, but *ought to be* resisted by every member of community. At the date of 1799, it is admitted that an adequate public necessity did exist; but

at the date of 1810, no pretence of such necessity existed. At neither time, at no time, has it ever been pretended, that there did or *could* exist any public necessity for turning out Pennsylvania owners, and putting Connecticut claimants in.

So that at neither of these periods could these acts be brought to bear against Pennsylvania owners in possession; and at the latter period of 1810, no such constitutional reason existed to justify the divesture of Pennsylvania title, even when *not* in possession.

The Bedford and Ulster Act could not, then, have been constitutionally passed; without [providing for] the *assent* of all the Pennsylvania owners. Those not in possession *did assent*, and received their compensation. Those in possession *did not assent*; but remonstrated through the letter of Henry Welles to Mr. Palmer, in behalf of Mr. Carroll, Mr. Hopkinson and himself. Was there any impropriety in that remonstrance? Was there any *wrong* in their claiming of this House the protection of their rights under the patent and laws of Pennsylvania? Surely not! but on the contrary, if any bill had been in passage purporting to so invade the tenure of Henry Welles, or any other citizen in like circumstances, it would have been his duty, as a member not only to remonstrate against such invasion, but also to enter his protest against it on the journals of the House.

All this is undeniable. It follows then, that the proviso of 1810, instead of being an unjust and designing innovation, "*in direct hostility to all the previous acts passed on the subject*," was a natural branch of the Compromising system; and its express introduction in that bill so unquestionably proper, as to have needed for its justification but one moment's impartial thought; and therefore that the agency of Henry Welles in passing that act, and that proviso, however it may have been impeached, aspersed and vilified on the floor below, was as perfectly correct as the conduct of any member of this House ever was, on any occasion, or ever can be.

THE RIGHT OF CERTIFICATE UNDER THE ACT OF 1810.

When the Commissioners under the Bedford and Ulster act met at Tioga Point in 1810, Mrs. Mathewson, notwithstanding Mr. Carroll's recovery, and notwithstanding her own deed, applied to the Board for a certificate. Henry Welles, for Mr. Carroll and himself, producing title under Pennsylvania, and proving the marshal's delivery, her application was precluded.

The deed of Mr. Carroll for the house and lot had been previously offered her, in June or July 1809; but she declined it, saying (so asserts Henry Welles) that if she took certificate under the expected act, perhaps Mr. Carroll would consider her, and give her some money compensation instead of the deed. That this deed was executed by Mr. Carroll, proved by a Mr. Davis in Philadelphia, received by Henry Welles in an envelope still producible, and subsequently returned to Mr. Carroll, or Mr. Caton, his son-in-law and transactor, could be made out if necessary, by letters, envelopes, postmarks, and other moral evidence; but no legal proof of its actual tendry to Mrs. Mathewson. As to the delay mentioned in the Report, which appears to have been about one year, it is nothing very extraordinary with men of such concerns as Charles Carroll, Richard Caton and Robert Goodloe Harper.

But the committee who drew that Report could not but have been aware, that it was entirely immaterial whether any such deed had ever been made and tendered or not; for it was in evidence that the house and lot were *expressly* left to her, when the writ of possession was executed; and this was in itself a release of title, in consequence of which she and the heirs, being left in occupancy, thereby became entitled to certificate under the Act of 1810, and still possess it; so that the consideration of her deed, executed 8th October, 1807, has been strictly maintained; and that therefore by her deed and possession delivered, Henry Welles became owner of all that kind of right called the Connecticut title, to the lands in question; if any certificate were issuable thereon.

Owner of the Connecticut title *exclusive* of the heirs of Mathewson, for the following clear legal reasons. It is settled in Pennsylvania, as has been heretofore recited, that the Connecticut title, unconfirmed, is of *no validity* either in law or equity. Consequently, it is no such title *as can sustain a descent*; and the transfer to Henry Welles, by her deed and delivery of possession, fully entitled *him* to

the certificate, after the right thereto became "confirmed" by Act of 1810; if his condition therein made that issue desirable.

Furthermore: even if the title of Elisha Mathewson in these lands *had* been such as *could* sustain a descent under our laws of inheritance, there is still another ground on which the heirs would have been excluded by their mother's and executor's sale, which is this: the title under which they claim being precarious at best, and in immediate danger from the ejectment of Charles Carroll, therefore a sale made by their natural guardian and father's executors, having for its object the security of a part by release of the remainder, yielded a sufficient and valuable consideration directly to their benefit; and of course was good against them. This has long since been decided in cases of settlement rights, where the title could scarcely have been considered insecure, and where it was not immediately endangered. See *Mobley vs. Oeker*, 3 Yeates, 200, and *Clark vs. Hackethorn*, 269. So that on this just and legal principle, the rights of the heirs, if they had been entitled in any degree, would have passed to Henry Welles by the deed of their mother, as completely as they could themselves have passed it had they been of age.

Waiving then the Constitution, the intention and construction of the Compromising Laws: waiving all the vested rights of a grantee under Pennsylvania, in quiet possession: still it follows, that the Mathewsons must have been excluded from the benefit of the Act of 1810, by the fair and perfected sale of the premises, and delivery done, by Elizabeth Mathewson herself, having all legal authority: and that Henry Welles by that sale became exclusive owner under Connecticut, and would have been entitled to the certificate, if any could have legally been granted.

CONSTITUTIONALITY OF BILL, NO. 471, 1824-5.

Many members of the last session were led to believe, (and it is said that one gentleman present entertains the same idea) that the act prayed for in this case, as shaped in bill passed No. 471, would leave the parties on fair and equal ground to have their equitable rights determined at law. *But such is not the truth!* If this pass, it is both legislative and judicial: it is a *taking by arbitrary power*; and no question of merits, no plea of right and wrong, can ever be heard against it. Henry Welles could have no chance to prove the fairness of Charles Carroll's recovery. Neither will he stand in the same situation as if under the Acts of 1799 and 1802; nor as he would have stood if that of 1810 had passed without the proviso. Bill No. 471 virtually declares that its *intention is* to deprive Henry Welles of his constitutional rights. Under the Act of 1799 and supplements, Pennsylvania owners in possession were protected by the rule of construction that no act *intends* the violation of those rights. An act like this, No. 471, enacts that those rights *shall be violated* in this case, and that *such is the intention*.

Of all the Compromising laws ever passed in Pennsylvania, no one has ever yet been held, or pretended to have a like meaning, or effect; and surely before this Committee recommends, or the House proceeds upon, a step that cannot be retracted, they will deliberately consider its character; and look around and see, whether any such despotic act has ever been committed by any American legislature:—whether any such law has ever been passed by any deliberative body upon earth.

The only constitutional warrant, under which the legislature of Pennsylvania *can* assume to divest the rights of landed property, is that which has been cited from Article 1, Sec. 13: "Each House * * * shall have all the powers *necessary* "for a branch of the Legislature of a free state."

Now if it is *necessary* to this free state of Pennsylvania, to turn Henry Welles out of his possessions, and put Mathewson *in*—if *it is* necessary for this free state so to do, *then* the act prayed for, if passed, may be constitutional:—otherwise not.

The *only* State necessity which, up to this day, has been recognized as adequate in Pennsylvania, is, the avoidance of civil war.

Language has rarely been delivered from the bench more decided than will be found in the following extracts from reports under the Confirming and Compromising laws, in relation to this branch of legislative power:

Says Judge Yeates, in *Enslin vs. Bowman*, "cases may undoubtedly occur, wherein, however sacred the rights of property may be deemed, it would be *necessary for the common welfare* that they should bend to the *public interests* in matters of great national concern." 6 Binney, 472.

Judge Patterson of the United States Court, in *Vanhorn vs. Dorrance*, as follows: "The next step in the line of progression is whether the Legislature had authority to make an act divesting one citizen of his freehold, and vesting it in another, *even with compensation*. That the Legislature, on certain emergencies, had authority to exercise this *high power*, has been urged from the nature of the social compact, and from the words of the constitution; which says, the House of Representatives shall have all other powers necessary for the legislature of a free state or commonwealth; but they shall have no power to add to, alter, abolish, or infringe any part of this constitution. * * The *despotic power*, as it is aptly called by some writers, of taking private property when STATE NECESSITY REQUIRES, exists in every government; the existence of such power is necessary:—government could not subsist without it, and if this be the case, it cannot be lodged any where with so much safety as with the Legislature. The presumption is that they will not call it into exercise *except* in URGENT CASES, or cases of the first necessity.—It is, however, *difficult to form a case, in which the necessity of a state* can be of such a nature as to authorize, or excuse, the seizing of landed property belonging to ONE CITIZEN, and giving it to ANOTHER CITIZEN. It is immaterial to the state, in which of its citizens the land is vested: but it is of primary importance, that, when vested, it should be secured, and the proprietor protected in the enjoyment of it. The Constitution encircles and renders it an holy thing. * * * The Constitution expressly declares, that the right of acquiring, possessing, and protecting property is natural, inherent and unalienable. It is a right, not *ex gratia* from the legislature, but *ex debito* from the constitution. It is sacred;—for it is further declared, that the Legislature shall have no power to add to, alter, abolish, or infringe any part of the Constitution. The Constitution is the origin and measure of legislative authority. It says to legislators, thus far shall ye go, and no further. * * Innovation is dangerous. One encroachment leads to another; precedent gives birth to precedent; what has been done may be done again; thus radical principles are generally broken in upon, and the Constitution eventually destroyed. *Where is the security, where the inviolability of property, if the legislature, by a private act, affecting particular persons only, can take land from one citizen, who acquired it legally, and vest it in another?*" *Vanhorne vs. Dorrance*, 2 Dallas, 311.

This, then, is the judicial exposition of the powers committed by that Charter, under which the Legislature of Pennsylvania has for seven years been urged to invade the freehold of Henry Welles.

Is it the malice of a party leader? or the spur of county politics? or this annual, this perennial teasing, that is to constitute a State necessity?

Where *else* is the deep concern of "*Common Welfare*" which now demands the exercise of this "extraordinary power;" a power only *once* assumed in Pennsylvania, and then only to avert civil war? Where else is the giant *necessity* that is to move the constitutional defences built up around "the first interests of the social compact"?

Where is the "great occasion," the "public exigence," the "state necessity," the "national concern"? Are all THESE to be substituted by impulses that avoid publicity, influences too revolting to be named?

Without this state necessity, the Legislature has not the power. No man will deny this position. No man will aver this state necessity exists. Can then this committee sign a report, or return a bill, leading to a result which no member of this House can vote for, on any stage, without arraying his vote and oath in direct opposition to each other?

But it is under no pretence of state necessity that the exercise of this power, that exists only in cases of state necessity, is required. It has been attempted to apply it arbitrarily, to the satisfaction of a pretended claim of equity disputed between two individuals; and that too in constitutional violation of the *contract executed*, through which Henry Welles holds this land under patent from the Commonwealth.

All claims of right and equity which one citizen may pretend to have against another, belong to the examination and decision of the *judicial* department: where the parties can be heard by themselves or counsel, cross examine witnesses, be tried by jury, under rules of evidence, and have justice meted to them, according to general laws. Can the legislative branch cut short this whole system of rights and remedies? Are there not *high walls* HERE which the Legislature of Pennsylvania is required to trample down?

The Constitution of the United States!—both the monument and the fortress of human rights, toward which the whole civilized world looks up with reverence! *Art. 1, Sec. 10:* “No state shall pass any law impairing the obligation of “Contracts.”

The Constitution of Pennsylvania! the charter which *creates* the Legislature; creates it for the *protection*, and not for the violation of individual rights:

Art. 5, Sec. 1: “The judicial power of this Commonwealth *shall be* vested “in the courts.”

Art. 5, Sec. 6: “The Legislature shall vest in the said courts such other “powers to grant relief in equity as shall be found necessary.”

And by *Article 9*, the Declaration of Rights, expressly framed for the protection of the general, great, and essential principles of individual liberty, against the abuse of government powers, it is declared—

By *Sec. 1*, That “all men have certain inherent and indefeasible rights, “among which are those of * * * acquiring, possessing and protecting property and “reputation.”—

Section 6. That “trial by jury shall be as heretofore, and the right thereof “remain inviolate”.—

Section 9. Even the *criminal* “hath a right to be heard by himself and “counsel; to have a speedy public trial, by an impartial jury; and cannot be deprived of life, liberty, or property, unless by the judgment of his peers, or the “law of the land”:

Section 11. “All courts shall be open, and every man, for an injury done “him in his lands, goods, person or reputation, shall have remedy by the due “course of law, and right and justice administered, without sale, denial, or delay.”

Section 17. “No law impairing contracts shall be made.”

And finally, by *Section 26:* “To guard against transgressions of the high “powers which we have delegated, WE DECLARE, That every thing in this article is “excepted out of the general powers of government, and shall forever remain “inviolable.”

What relation is there between all these constitutional provisions and the case before you?

Why, here is a pretended claim of right on trial for lands, not before a judicial tribunal of law or equity, but before a committee of seven members of the Legislature, which *by rule* must be selected from those friendly to the objects of petition; and it is before this tribunal *alone* that the remonstrant can be heard by himself or counsel! No rules of evidence regulate the testimony; no judge presides to fix the Law; no jury passes upon the facts; no rights of challenge—no new trial—no arrest of judgment—no privilege of triple verdict—no writ of error, and no appeal, protects the party: but this one reluctant hearing before a committee of seven, deemed almost impertinent and intrusive; *this hearing of an armed car*, is *all* he receives in substitution of his long train of constitutional rights,—rights that have been so solemnly declared “inviolable forever.”

No longer ago than at the last session, a bill traversing all these paramount authorities passed the House of Representatives; and as has been said by the petitioner, would have passed the Senate also, if time had permitted. This proves both strength and determination; but if it *had* so passed, before what court, before what bench, from Chief Justice, to justice of the peace, would it have found respect throughout the whole judiciary?

Under such warning, it is not for Henry Welles to surrender his defences. He protests, as Joseph Hopkinson, and as Richard Caton for Charles Carroll have

already done, against the jurisdiction of this House; and against any such usurpation of authority, he will carry his cause to the highest tribunals.

On the other hand he does not, by any constitutional plea, seek to smother or evade this extraordinary enquiry into his dealing in the case; but challenges the scrutiny. The testimony is before you. What foundation is there for the inflated descriptions that have been propagated here, as to the oppression, injustice and hardship suffered? The Mathewsons were not *poor*; for as seen by the will, they inherited, and still own, seven hundred and twenty acres of first rate land in Palmyra, through which the great canal now runs, in the very garden of New York. They were a widow and children, to be sure; but should Henry Welles, *therefore*, have left them to enjoy his property for sixteen years more, in addition to the *twenty* of his father's preceding, and then ask them what should be done about it? They were not *defenceless*; but surrounded by the leaders of the Susquehanna Company, and a population ripe for violence.

They were on lands excluded from the Confirming and Compromising laws; a possession *tortious*, as to the real owners and *rebellious* as to the Commonwealth; harvesting the Indian clearings for twenty years without right, on lots interspersed through an extensive flooded interval, opening to all the mischiefs of an interior and inimical possession. All the other [Connecticut] holders below the village were bought out by the owners with the view of having one useful farm for their twenty five thousand dollars; but these rejected all offers of purchase with defiance. The owner was entitled to recover; the possessors *deserved* an ejectment.

At a period when this Commonwealth herself was almost at actual war with this same population, with what face can she now reproach Charles Carroll, or Henry Welles, for having recovered at that very period, under her own title, and her own laws, this dearly bought land from such "intruders"; and that too with circumstances of liberality scarce ever known in cases of ejectment?

What would the Legislature of Pennsylvania of that day have done in like case? The supplementary Intrusion Law, passed February 16, 1801 (Section 6) provides that in all cases of ejectment against defendants holding under Connecticut title, the plaintiff shall RECOVER DAMAGES for the MESNE PROFITS of the land, *down to the time of entering judgment!* 3 Smith's LAWS, 459.

The Legislature of Pennsylvania, then, instead of trying to purchase out, instead of giving house and lot, and further use of lands, release of crops, and exemption from costs, and a final donation,—*the Legislature of Pennsylvania, then*, would have taken house and lot, and crops and costs; and instead of donation, would have taken verdict of damages for TWENTY YEARS MESNE PROFITS, which no jury could have laid at less than one thousand dollars!

This, then, was the judgment of Pennsylvania herself, by the lips of her Legislature of that day. This was the case they wanted to defend! This was the case the re-opening of which Henry Welles was so "anxious to prevent"; and this the "chance of defence," on the pretended value of which is predicated a Report that blackens the journals of Pennsylvania.

It is not within *these walls* that anything should be spoken against this ejectment; seeing that the treatment which the defendant received from the hand of Henry Welles was *so far different* from the award of this House itself!

But where is the precedent of an act arbitrarily wresting from any owner lands once legally and rightfully recovered, even where the circumstances have been *most* severe? Hundreds of ejectments have been carried into strict effect in Pennsylvania. All ages and sexes have been turned out, and costs collected of their personal property; but not one instance is there upon record in which this Legislature has enacted restitution. Many ejectments have prevailed against conscientious equity; but what loser has ever been reinstated? Many have been the instances in which *both parties* have innocently paid the Commonwealth for the *same lands*, and upon eviction of the later title from home and improvements, does the Commonwealth redress this real grievance? No: she does not even restore the moneys to the losing purchaser.

So far as this gratuity of the state, for peace, was a matter of *expediency*, the non-recipients have no right to murmur: so far as it was a matter of *grace*, it was surely to be regretted that this family, being as proper objects as others,

could not have received a parity of benefits. But out of this grows no manner of claim on the property of Henry Welles.

If the heirs of Mathewson had on this ground applied for a donation from the state, to equal the sum the Pennsylvania owner would have recovered, had the land been certified, such application would have met with no remonstrance from Henry Welles: but appearing here with false pretences, that are an imposition on the House, it remains to be considered whether there is any more worthiness in *these*, than in the settlers occupying the residue of Athens township, or those of present Ulster, or those on Sugar Creek, Towanda, Wysox, Wyalusing, Tunkhannock and Lackawanna creeks, and many other settlements of date as early as those within the lines called Old Ulster.

It was a misfortune to thousands in that country, that the Connecticut title did not prevail. It was a misfortune to the heirs of Mathewson that they were not left in possession of the lands on Tioga Point until 1810; but as Judge Huston says in his charge to the jury respecting this same land in *Mathewson vs. Satterlee*, of which a certified copy is here, "you will consider whether the loss of that "land was not a misfortune common to such titles, and inevitable until the Com-"promising Law; a misfortune, but not the fault of any person."

Whether this misfortune be deemed to consist in the loss of the land itself, or in the deprivation of an equal proportion of the State's bounty, in neither case, in no manner, can Charles Carroll or Henry Welles be held either blameable or responsible. They not only recovered *less* than their own, but made liberal gifts beside. If the Legislature be inclined to admit that *any* wrong has been done, they cannot but yield that it has been done, not by Charles Carroll or Henry Welles, BUT BY THE COMMONWEALTH OF PENNSYLVANIA, whose laws dictated and adjudged it. If the Legislature make any such admission, it is one of vast amount; not confined to the Mathewsons alone, but inclusive of the whole Connecticut title, and branding more than forty years of the legislative, judicial, and executive history of Pennsylvania. If the Legislature *are* as conscious of having wronged the Connecticut settlers as their proceeding of last session appears to admit, they can begin remuneration; but it must be with the Commonwealth's property, and *not* with the property of others.

There are views that show far different treatment to be due from the Commonwealth to the heirs of George Welles. The government that sells land and receives payment, becomes bound to provide laws and executive force to invest the purchaser with possession. A failure to do so is a failure on the contract; and the government so failing, in justice becomes responsible for the value of the property.

Richard Caton, Ashbel Welles and George Welles, through Josiah Lockhart, were purchasers, under Pennsylvania, of Lottery Warrant No. 1. They found the Commonwealth confessedly unable to put them in possession of the premises she had sold them; and were compelled to buy possession from an intruding power, holding under another state. These parties *never received one foot of land* from the Commonwealth for their sixteen thousand dollars. All they got possession of they bought of the Connecticut intruders, about four hundred acres, at nine thousand dollars, bringing it to thirty eight dollars and fifty cents per acre, eight and twenty years ago. By this, principally, was George Welles ruined, and *his* widow and *his* fatherless children left entirely destitute, and dependent on the eldest son. By just principles, analogous to such as are admitted by all governments, the Commonwealth of Pennsylvania *now owes* the widow and heirs of George Welles for their one third of Lottery No. 1, principal and interest.

This Committee have probably noticed, that the Act of 1799 has a clause which excludes all lands held by united titles from the operation of the Act. This was intended to prevent such Connecticut settlers as might have bought under the state from holding by the one title, and recovering compensation for the other; and is in itself conclusive evidence that the act was meant to *quiet occupants*, and not to acknowledge title in Connecticut. The reasoning of this provision could have no just application to the cases in which Pennsylvania patentees had been obliged to buy the Connecticut title, for the sake of getting *that* possession which the state was in duty bound to *give* them: therefore is it not presumable that Henry Welles might have procured the passage of the Act of 1810,

without that provision, and thus Carroll and Welles have been enabled to hold by certificate the lands covered by their Connecticut deeds, and have obtained compensation for their Pennsylvania title to the same lands? This would have been clearly equitable; but the journals show that no such thing was attempted. The bill was reported by him with the prohibitory clause contained, and passed so; by which it appears, that Henry Welles, the interested Henry Welles, who bent all his legislative advantages to profit, did not even attempt to make use of this legislative opportunity to secure a just remedy for the indisputable rights of his own father!

OFFERS TO SUBMIT THE COMPLAINTS TO A JURY.

Before closing a defence which, in this extraordinary procedure, must stand Charles Carroll, Richard Caton, Joseph Hopkinson and Henry Welles in substitution of their constitutional rights of public trial, before judge and jury, under rules of evidence, and general laws, with counsel to advocate,—and which is therefore more full than otherwise need be—let the Committee advert to certain indications in the journal of last session, volume 1. It has been seen that the allegations set forth by the petitioner, and on which his claim rests, are two:

1. That the parties in interest were fraudulently dispossessed.
2. That they were precluded from recovering under the act of 1810 by the proviso.

By the journal of March 31, 1825, pages 684 and 687, two several amendments appear to have been offered to Bill No. 471 then before the House, each containing the same proposition: the *first* rejected, yeas 33, nays 37; all the active friends of the bill voting in the negative. The *second* was in improved shape, and is as follows:

“A motion was made by Mr. Meredith and Mr. Ritner, to amend the same by “striking therefrom these words, ‘the judges of the court of Common Pleas of the ‘county of Bradford,’ and inserting in lieu thereof these words: ‘That the court “of Common Pleas of the county of Luzerne, shall upon petition of the heirs and “devisees of Elisha Mathewson, deceased, and upon thirty days notice thereof to “Henry Welles of the county of Bradford, cause an issue to be framed for the “purpose of trying whether the said heirs and devisees were put out of the pos- “session of certain lands in the township of Ulster and county of Bradford (now “held by the said Henry Welles and others, and claimed by the said heirs and de- “visees, as Connecticut claimants,) by the fraud of the said Henry Welles; in “which issue the said heirs and devisees shall be plaintiff and the said Henry “Welles shall be defendant; and if upon trial thereof, the jury shall find that the “said heirs and devisees were put out of possession by fraud as aforesaid, and if “the Court shall approve of the verdict, then in that case the judges of the Supreme “Court sitting for the Northern District, shall—” etc.

This repeated offer to meet the allegation of fraud on fair trial before court and jury, was *rejected* by a vote of 37 to 37; all the active partisans of the bill voting in the *negative*! There must have been some very plausible reasons rendered, or the many conscientious persons who joined the negative *could not* have been slurred over this open abandonment of their most important ground. A moment's reflection must have convinced every right intentioned man, that if the two zealous advocates of the bill had *believed* that there was *truth* in the allegation, they would have *hastened* it to a fair trial before court and jury.

As to the *second* allegation, that the petitioners were excluded by the proviso: it appears on journals, page 692, that a motion was made by Mr. Ritner and Mr. McCreery to amend by the following addition: “Provided however, that notwithstanding the repeal of the said 7th section of the Act aforesaid, it shall be the duty “of the said Commissioners to decide upon the same principles, and none other, “than if the Compensation Act of the 4th day of April 1799, and its supplements, “had been extended to the townships of Bedford and Ulster.” Rejected; yeas 33, nays 38. Friends of the bill in the negative again.

Here, then, the advocates of the bill abandoned the second allegation also: admitting that the proviso was *declarative*, its existence in the letter of no effect, and that the petitioners could not have recovered under the pre-existing system.

Notwithstanding this complete retrocession of the two several grounds on which the claim professed to stand, the bill passed by a majority of six.

When that vote passed the House, the whole subject lay before it IN THE BROADEST DAY. Well warned, therefore, that such [action] may be repeated, it becomes this respondent's duty, not only in protection of his own individual interest, but further and higher still, in preservation of the character of this Commonwealth, to arrest the process of so deep a shame, by every means within his power. This duty has been fulfilled to exhaustion, and here must terminate.

It is now seven years this prosecution has been pursued with unremitting energy. If such bill passes, no man who votes for it will be proud of its reception at the hands of the Judiciary. Small county partyism cannot reach it there. The journals of this House may be loaded with falsehoods that confute themselves, like those that have preceded: they tarnish history only, and blacken the dishonored monuments upon which they are graven down.

APPENDIX B.

CONSTANT MATHEWSON'S REPLY TO HENRY WELLES' DEFENCE. AS PUBLISHED IN THE "BRADFORD SETTLER."*

MR. BULL:—I noticed in your paper of the 28 of Sept. (a few days preceeding the Election), a voluminous and elaborate defence of Gen. Henry Welles, by the nearest friend and dear Brother, Charles F. Welles, Esq.

As my name was then before the public as a candidate for the Legislature, and this defence is deeply fraught with malignity in its spirit, and falsehood in its letter, bearing on its face an intention to defeat my election, being well aware that the concern between General Welles and myself was entirely distinct from that of the election, and that the merits of my claim was as well understood by the public as was the integrity of Charles F. Welles as a Newspaper scribbler—I had concluded in my own mind to suffer this wonderful production to pass unnoticed. But on a second perusal of this tissue of misrepresentation, and on the reflection that the author's character may not be as well understood abroad as it is in the immediate circle of his acquaintance, and as his scrawl was calculated and intended to operate not only against my Election, but against a fair investigation of my controversy with his Brother, I conceive it my duty to make a few remarks in reply. I shall not undertake to follow him through all the meanders of his capricious whims, I will not trouble the public by noticing his peevish fretting at the enmity of the people against his brother, or his anger at the Committee of the House of Representatives that reported in my favor in the Session of 1824-5, I will pass over his billingsgate style in charging that Hon. Committee with reporting a tissue of falsehoods, &c. and confine myself to the detection of a few of the very many misrepresentations that he has undertaken to palm off on the public as facts.

The friend of Henry has endeavoured to excite the sympathies of the people by a representation of the immense sums of money paid by George and Ashbel Welles and Richard Caton in the acquirement of the title and possession of the Lands on Tioga Point, he avers that the partners paid \$16000 to Josiah Lockhart for the Pennsylvania title and \$9000 to those Connecticut claimants of whom they purchased amounting to \$25000, a pretty sum of money to be sure. Now Charles F. Welles, Esq. I cannot conceive how this mighty sum of money if paid to others can effect the claim of my father's family to the lands that justly belong to them; but this asseveration of yours that they did thus pay and it caused your father's bankruptcy is either true or false; if true, they paid an illjudged price for the Pennsylvania title with a view of speculating on the hard toils of the poor yankees and

* Defence as here mentioned was only the substance of paper prepared by C. F. Welles, published as noted on pages 470, 471, *ante*.

more for the possessions than they were worth; and if false it must naturally be concluded that the whole of your defence of your Brother is of the same tenor. Presuming as I do that there is some mistake in your statement, I beg leave Esq. Charles F. to ask you a question or two.

Sir, after your father, your Uncle Ashbel, and Richard Caton had made their purchase of Mr. Lockhart and paid \$4,000 and after the whole tract was assigned over in 1800 to Mr. Carroll, (Mr. Lockhart having no Mortgage on the premises,) did not the Welleses and Caton become bankrupt; whereby Lockhart was prevented (he or his heirs) from ever receiving one cent more than the \$4,000 for the whole tract of 1030 acres. I think you would be compelled to answer this query in the affirmative, if so then this statement in the scale of truth is found to possess exactly three-fourths by alloy, and I really consider that such adulterated truths are very little better than spurious coin and ought not to be suffered to pass current.

In respect to the \$9,000, which you say you paid to the Connecticut settlers by the partners, as it appears to me a greater sum than the settlers ever realized from them; suffer me to enquire, whether a very considerable portion of the \$9,000 was not expended in wharfing the Susquehanna River, or in other words in the establishment of what was denominated *Welles' folly* (see p. 361, *ante*).

I do not consider your representation of the partners purchasing the right of all the settlers below the village of Tioga Point, except what belonged to Elisha Mathewson and a seven acre lot of Abraham Decker of any consequence; I only notice it to show your proneness to misrepresentation; For it was a fact that there was a forty acre lot belonging to the late Col. Elisha Satterlee, and a ten acre lot of Joseph Tyler which are now in possession of Gen. Henry Welles and held by his favourite section of the compromising law of 1810, which were never purchased of the original claimants by the partners, and I presume by no one since. The friend of Gen. Welles states that I aver that the suit of Ejectment instituted in favour of Charles Carroll against my Mother was brought by Henry Welles without the authority of Mr. Carroll; I do not deny this averment; I have stated that he has acted under an assumed agency without any authority from Mr. Carroll. But Esq. Charles F. declares that the letters of Messrs. Carroll, Caton and Hopkinson, respecting this concern, set their word in opposition to my word and the report founded on it that this suit was brought without the intervention of Henry Welles and thereby insinuating that my word and the report of the Committee are false. "Without the intervention of Henry Welles"!—Henry Welles did in person declare before the Committee that after making arrangements with Mr. Carroll for a part of the land in controversy, that he called on Mr. Hopkinson in Philadelphia, took out the writ against my Mother in the name of Mr. Carroll, procured himself a deputation, that he served the process himself for the economical purpose of saving cost. Is this an intervention or is it not? When this concern was before the Legislature in 1824-5 Mr. Roberts the advocate of Henry Welles read to the Committee of the whole on the investigation of his substitute a letter from Mr. Hopkinson stating that he never knew Henry Welles in this concern only as the agent of Mr. Carroll; and the same Mr. Roberts while investigating the subject of the bill on the floor of the House read a letter from Mr. Carroll stating that he never knew He'y Welles as an agent in this concern; Yes, Mr. Carroll, (this first of living men), has solemnly declared that he never knew Henry Welles as his Agent; consequently he did not authorize him to commence the suit (See note end), that Gen. Welles did commence the suit is proved by his own declaration. I think therefore that my character or that of the Hon. Committee in point of veracity is in no great danger of sustaining a very heavy shock by the base Calumny of Charles F. Welles.

This friend of the General states that my Father in his life time was offered by Caton and Welles four or five hundred pounds for his lots and that my father refused to sell; if this is true it would appear that they viewed my father's rights

something more than a mere nonentity as Charles F. Esq. represents it; but when I consider the source of the declaration I am inclined to believe that they never made my father any such offer; for he avers that after my Father's death my Mother declared that she never would sell, and defied the owners to bring suit. This broad assertion of his is of no further consequence than to shew his ingenious faculty at fibbing; I am fully authorized to state that it is totally without foundation in truth.

The General's friend has made a long commentary on the subject of the lots possessed by my father being held under the survey of Athens township made subsequent to the Decree of Trenton. The township of Old Ulster was granted to Buck, Gore, (Mathewson), Smith and others, in 1775; it was surveyed but not allotted, in consequence of the proprietors being generally called into the service of their country in the war of the Revolution; at the close of their toils in war they or their heirs or assigns turned their attention to their located township of Old Ulster for the acquirement of a livelihood in peaceful life. But as the north line of the state was then run, they found a gore of land between their township and the state line on the north of about two and one-half miles in breadth, and another gore of a similar breadth, on the south between Old Ulster and Cloverick townships; they were, therefore, induced to associate with others and obtain a further grant from the Susquehanna company to include two townships; in May 1786. Since the decree of Trenton they surveyed, and plotted out the townships of Athens, and New Ulster, each comprehending about one half of the township of Old Ulster; 'Tis true that my Father's lots were located in Athens, but in that part of Athens which was formerly Old Ulster; so that notwithstanding the high drawn figure of Charles F. Welles it is clearly to be understood that in justice the heirs of my father had and still have as equitable a right to the benefit of the law of 1810 as any other individual proprietor in Old Ulster Township; even a right as equitable as Gen. Henry Welles himself had to the lot he purchased in the year 1808 of Stephen Badlock of about forty-four acres. It may not be amiss to recount some of the General's ingenious management in this concern for the information of the public and to show his tender mercy for the funds of the commonwealth.

I have before me a certificate of Mr. Stephen Badlock, which proves that Gen. Welles called on him at his residence in Spencer in the State of New York in February, 1808; and informed Mr. Badlock that he had the Pennsylvania title to a forty-four acre lot (lying a little above the village of Tioga Point and within the bounds of the Carroll tract) which was then owned and in possession of said Badlock by virtue of the Connecticut title, but the General assured Badlock that he could hold the lot by virtue of the Pennsylvania title which he then had; the General however, generously offered him one hundred dollars in neat cattle and whiskey for his title and possession. Mr. Badlock states that he being unwilling to lose his land with his labour on it, accepted the proposal and gave him a deed conveying all his title dated February 5th, 1808. Now if Gen. Welles owned the Pennsylvania title to this lot as he positively asserted to Mr. Badlock, he must have been excluded from any benefit of his Conn. title by virtue of the 7th section of the compromising law of 1810. But in the sequel I find that the proviso in that law is well calculated to draw money into the pockets of himself and associates holding the Penn. title on the Lockhart tract, not only to the destruction of his neighbors but out of the treasury of the commonwealth: For it can be shown by legal records that while the commissioners under the act of 1810, were adjusting the respective titles to the land in Old Ulster that the Gen. appears before them, not as a Penn. owner to the Badlock lot, but as a Conn. claimant by virtue of his deed from Badlock, and the land was certified to him at \$2.40 per acre amounting to \$105.60 which sum he had to pay into the Treasury of the state; but as his associate Mr. Caton was not content to receive this sum, he prosecuted the commonwealth, Gen. Welles, the owner of the Penn. title as he himself declared to Mr. Badlock was one of his principal witnesses, and the general's particular friend

appraiser. And by this management as does appear on record it awarded that Richard Caton should receive from the Treasury twenty-five dollars per acre amounting to eleven hundred dollars for this same Badlock lot; deduct the \$105.60 paid by Welles from the \$1100 received by Caton we find a balance of \$994.40—a handsome speculation this to be made out of a forty-four acre lot which was obtained of the poor Conn. claimant for the paltry sum of \$100 in whiskey and beef for his house and fifteen acres clearing. Whether this \$994.40 was pocketed by Mr. Caton or the Gen. or whether they divided the spoil, I do not know, of this I leave the publick to judge.

Another comment of Charles F. Welles may require some explanation; he states that his brother Henry took a seat in the House of Representatives in the Ses. of 1809-10, and was elected as far as respected the interest of his neighbouring constituents, the Connecticut settlers in possession, for the very purpose of carrying into effect their petition for an extension of the compromising law to the townships of Bedford, Ulster and Athens; those that felt this interest voted for him because he was a Penn'a owner, and therefore more likely to have effect in the Legislature. He says it is worthy of remark that at the time of Henry Welles' election in 1809, only about fifteen months after the ejection of Elizabeth Mathewson, when all the true circumstances were fresh in memory, that no word of accusation was ever spoken against him in that campaign either by the Mathewsons or any other person thro' out all his repeated elections &c. I ask, did they dream of his cunning *proviso*? After C. F. Welles has recounted the wonderful energies of his Brother in overcoming the torrent of opposition to the measure, he tells us his brother bore down all opposition and succeeded in carrying the law into effect, and he is careful to notice to the world that not even the settlers in possession would ever enjoy the benefit of that law had it not been for the mighty exertions of his brother Henry. I presume that no living person appreciates the brilliancy of Gen. Welles' talents higher than I do; for it is my real, candid opinion that if he were divested of very many of the foibles to which mankind are subject more especially his *sly arts*, that he would be a useful and respectable citizen. The general's friend has, however, in my humble opinion, misrepresented the sentiment of the election of 1809. I deny that he was elected in consequence of his peculiar situation and capacity to carry into effect the petition of the people for an extension of the compromising law. I will briefly state the facts as they occurred; in the session of 1808 the petition of the people for an extension of the compromising law to the townships of Bedford, Ulster and Athens was presented to the House by Col. Sam'l Satterlee, then the representative of the people from this District. It was referred to a Committee, of whom Mr. Satterlee was chairman, who made a favourable report detailing in full the situation of the people and their claims and the justice and necessity of extending to them this law of compromise agreeably to their petitions, (see Journal H. R. for 1808-9.) to this report was attached a Resolution for the appointment of a Committee to bring in a bill embracing the object prayed for.

While this report was under consideration, a motion was made to postpone it to the consideration of the next Legislature, as neither Mr. Satterlee or any other friend to the measure were apprised of any particular design, this motion was not rigidly opposed, and the motion for postponement carried, and it has since been discovered that this motion emanated from the influence of Mr. Palmer of the Senate to whom Gen'l Welles wrote to guard the rights of the Pennsylvania claimant in possession. Is it likely that the Connecticut claimants in possession, for the express purpose of gaining their rights, elected Gen. Welles, this peculiar guardian of the rights of Pennsylvania claimants? No, it was not the cause of his election; he procured his election by his own sycophantic solicitations. I am authorized to say that previous to the election of 1809, he in the most pressing manner solicited Mr. Satterlee to decline as a candidate, and use his influence in his favor, professing perpetual political friendship thereafter in case of compliance, and I conceive it was the declination of Mr. Satterlee and his zealous influence

in favour of Gen. Welles that caused his election in 1809; the people were offended at Satterlee for the course he took, but voted for Welles for the reason that there was no other Republican (as the Gen. was then called) before the public. I have been told by those better informed than myself that there was no such wonderful obstacles to encounter in the passage of this law that has caused so much excitement, but might have been thrown aside and conquered by other men, even Conn. claimants, and the law carried into effect with the same facility that it was done by this champion of the Penn'a claimants in possession; and that too without the proviso contained in the 7th section of the act; which section does not affect the interest of one individual Pa. claimant, except the same Gen. Henry Welles as owner or agent who reported the bill and voted for it in violation of the express rules of the House. This Gen. Welles has done for the purpose of depriving my deceased father's family of their honest livelihood and converting it to his own aggrandizement.

It seems that Charles F. Welles, Esq. considers himself fully competent to decide on the constitutionality and propriety of the measures of the Legislature and assumes the right to condemn or approve as will best suit the interest of his brother the Gen. A man possessing such a supremacy of capacity and power ought to make truth his guide—but there are but few sentences of Charles F. Welles' defence of his brother but bears the impress of misrepresentation on its face. He frowns indignantly on a majority of the House of Representatives in their Session of 1824-5 for rejecting two amendments to the bill (which passed in favour of the Mathewsons) No. 471—one was offered by Mr. Meredith, which he states provided that issue should be joined between Constant Mathewson and Henry Welles before Judge Scott in Luzerne county to try the fact whether the heirs and devisees of Mathewson were put out of possession by fraud, and if on trial the jury should find that they had been so dispossessed, then the Judges of the Supreme Court should grant certificate to Mathewson. He says, that Mathewson's friends with him sitting by, (his brother home, but it was believed prepared the amendment previous to his departure) refused to risque a trial of the truth before an impartial jury; thus abandoning on the Journals and in the face of the House his first accusation. As this misrepresentation of Mr. Meredith's amendment is intended to make an unfavourable impression on the public mind against me, my friends and my claim, I will state the substance of the amendment as it was offered; it provided liberty for me to institute three separate suits before the courts of Luzerne against three individuals, viz: Richard Caton, Henry Welles and Obediah Spalding. In a suit against Caton and Spalding they would very properly plead that they had committed no fraud and were not accountable for Welles' transactions; in a suit against Welles it would be pleaded that he did not receive his deed until the 15th of June, 1814—years after the commission of the fraud, consequently entirely out of the common course of judicial procedure and out of the cognizance of the Court—the half an eye may see that. This amendment was intended and would in fact render the bill nugatory.

Mr. Ritner's amendment was in the hand writing of Gen. Welles, although as his friend states he was at home, yet he had the art to prepare it before his retirement; it is perhaps correctly stated thus: "Provided, however, that notwithstanding the repeal of the seventh section of the Act aforesaid, it shall be the duty of the Commissioners to decide upon the same principles, and no other than if the compensation act of 4th April, 1799, and its supplements, had been extended to the townships of Bedford and Ulster." This says the General's friend is placing the question on the same footing, as if the proviso had never existed. Let us see again whether in this instance friend Charles has stated the truth or whether he has again falsified with a view of misleading the honourable unsuspecting mind.

It is a well known fact that the Act of 1810 with its proviso, (the offspring of Gen. Welles' ingenuity) was not a supplement to the act of 1799—it was a separate act unconnected with it. If this amendment had included the act of 1810 there would have appeared some fairness on the face of it, the bill No. 471 then under consideration was supplementary to that act, but as it was totally unconnected with the act of 1799 and its supplements, it would if adopted have totally destroyed the effects and force of the supplement in my favour. Thus every observing mind will perceive the deceitful art practised by Gen. Welles to defeat the calls of justice.

Charles F. Welles, Esq. I have extended this notice of your misrepresentation of my conduct and motives in the unpleasant controversy I am compelled to sustain with your Brother in hope of the acquirement of my family's just and equitable right, to a greater length than I intended; yet I have left much of your sophistry unnoticed and unanswered; I think I have stated sufficient to prove to every candid mind that your brother's efforts to rear a fortune on the ruin of my deceased father's family—and supported by an assumption of might and misrepresentation—and as I hope and believe that the subject will hereafter receive a fair and candid examination and that truth and justice will eventually prevail, I shall at present leave the concern to the consideration of the public.

CONSTANT MATHEWSON.

Athens, Nov. 26, 1826.

EDITOR'S NOTE.—The Welles' and their advocate Mr. Roberts appear to puff both heat and cold as best suits their purpose; by Mr. Carroll they prove no agency; but the Gen. and Mr. Roberts both declare he was an agent and undertake to prove it by Mr. Hopkinson's letter—look at a paragraph in Mr. Roberts' substitute for the committee's report on the subject—it reads thus:—"Mr. Carroll, a purchaser under Mr. Lockhart, began to occupy his land in 1798—Mathewson's lots were located in different parts of the tract, and the annual overflow of the grounds by the waters of the river, made it difficult to keep up division fences. The ground was occupied as a common field, and the crops greatly damaged by cattle. The motives for negotiating with the Mathewson family for withdrawal from possession, were obvious and imperious. To effect this, Mr. Welles as agent for Carroll, offered the most liberal inducements, and at length succeeded in making an arrangement, &c."

APPENDIX C.

HENRY WELLES' SPEECH.

Copy of a document in the handwriting of Henry Welles, undated; evidently a draft of an address written to be delivered before a committee of the Senate. It is probably the one referred to by Henry Welles in a letter of 1818, noted on page 451; and is here printed as an evidence of his good faith in the office to which he had been elected.

MR. CHAIRMAN:—The circumstances which have given existence to the bill under consideration have arisen out of a controversy of long standing, and one connected with the origin of the Government.

The foundation of the Wyoming controversy is the interference of the charters of the two states of Pennsylvania and Connecticut. The tenor of those two instruments is such as to clash with each other, and mutually to cover one degree of latitude, running the whole length of the state of Pennsylvania. The subject was considered one on which intelligent and honorable men might differ, and did differ. Conflicting settlements were formed. Those deriving their title from the state of Connecticut were regular and systematic in their operations. The jurisdiction of that state was as effectual from about the year 1770 until 1787, as in any part of Connecticut itself. The settlement was called Westmoreland, had its representation in the General Assembly of that state, and a regular judicial organization. It also raised its full quota of troops during the Revolutionary War, which were received as of the Connecticut line. It defended the then frontier with remarkable bravery and effect.

Pennsylvania, both as a government, and by means of its individual citizens, was not idle in the meantime, nor did they abandon their claim. After many unpleasant and indeed bloody scenes, a tribunal was erected under the authority

of the existing national Confederation, with the power and for the purpose of settling the controversy. That tribunal convened at Trenton in December, 1782; and after a session of fourteen days upon a trial managed by great talents, the council decreed that the jurisdiction and the right of soil belonged to the state of Pennsylvania. But at the same time the Commissioners, in a letter to the Supreme Executive Council, strongly recommended the settlers who had so nobly protected that part of the frontier of the state, to the justice of the Government; not merely from that circumstance, but also [because] those settlers had come upon the land in question in the full belief of the justice and legality of their title, as derived from the state of Connecticut. And when it is remarked that the doubt was such as to require a solemn judicial decision to ascertain the rights of the parties, it may well be imagined that an honest difference of opinion may exist, and the settlers of that day and their representatives rescued from the imputation of being squatters and intruders. It was remarked at that day by many, that the overwhelming influence of the great state of Pennsylvania bore heavily upon the question, and that also upon grounds of political convenience the decision was favorable to that state.

Without, however, wishing to waste time in the examination of this part of the question, as it has become a subordinate one, I will proceed to the transactions which followed the Trenton Decree.

Under the recommendation of the members of the Council, under a conviction of the equitable rights of the settlers on the ground, and what perhaps was more weighty than all, a desire to introduce in a peaceable manner the jurisdiction of Pennsylvania, the state passed what is called the Confirming Law, dated 28th March, 1787.

The conditions of that Act were, as it respects the settlers, to give them their lots at the single and mere price of 20 shillings each, and the surveying fees. Under these views the settlers accepted the jurisdiction of Pennsylvania, in the faith and belief of the fulfillment of the terms. Much of the land in question had been previously located by citizens of the state. The government, embarrassed by the interference of the two sets of claimants, provided that the Pennsylvania claimants should be satisfied by grants of land in other places, not at that time appropriated. Some accepted the conditions offered, and made locations very much to their advantage; among whom was the late Gen. Meade. Others dissented: altercations and litigation took place: and the United States Circuit Court decided that the Confirming Law was unconstitutional and void: after which the same was repealed. Probably had the offered indemnity to the Penna. claimants been made in money instead of land, the retrograde movement might have been saved, and a great expense and trouble been avoided.

From the time of the repeal in the year 1790, up to the date of the Compromising Law of 1799, the country was in a most distracted condition: hostilities were carried on and blood was shed: the settlers were embittered against the state, under the impression that its faith had been broken with them; and much wrong and violence was committed on both sides.

At this period, between the dates of the Confirming and Compromising Laws, the lands in question were surveyed on behalf of the Pennsylvania claimants, who are proposed to be quieted by this bill. It may be said that they ought to have avoided meddling with the land in question, under the knowledge that in equity and good faith it belonged to the settlers in the country. Certainly they should: they were not strictly justifiable in touching lands so situated: and it is a subject of great regret that the existing government had not only prohibited this class of claimants, but all others, from locating land in that disputed territory. Had she done so, the controversy would have been much more simple and easily settled.

Yet although in equity the land belonged to the Connecticut claimants, and it ought to have been reasonably expected that it must be confirmed to them sooner or later, yet there was no legal impediment placed in the way of its being located by citizens of the state; and under the whirlwind of land-speculation that swept over this country about the years 1792-3-4 and -5, the whole of the territory was located.

Equitable as were the claims of the Connecticut claimants to these lands, and legal according to the rules and regulations in force among them, yet this

would not, and will not, avail them as a legal defence in our courts of justice. A distinction has been kept up by the legislature, in all her acts upon the subject, between those claimants whose titles accrued *before* the Confirming Law, and those acquired *after* it. For the former, a mode of compensation is provided by a trial by a court and jury; and nothing more is requisite for that class of claimants, than is provided by the existing laws.

It is probably within the knowledge of all the members of this Committee, that the terms of the Compromising Laws are materially harder, and different from those of the Confirming Law. Yet so anxious were the Connecticut claimants to close and put an end to the quarrel, that they embraced the terms offered by the compromising acts with zeal and avidity. Instead of obtaining their farms at 20 shillings and the surveying fees, they were obliged to give \$2.00 per acre for the first quality, and lower in proportion to its goodness.

To their credit it may be said that the Pennsylvania claimants generally accepted the terms held out by the law, so far as it was provided for their redress. As was said before, all are provided for except those who made their locations after the date of the Confirming Law of 28th March, 1787.

Now, for the want of any other remedy, those claimants are obliged to sue in ejectment for the land they claim, and numerous suits are now pending: unwilling as they may be, it appears their only resource. The defence of the settlers will not generally avail them in a court of law. The date of the patents to the Pennsylvania claimants is earlier than [that of] those given to the Connecticut claimants upon certificates given them by the Commissioners who executed the Compromising Law; and as things are now circumstanced, the decision must inevitably be in favor of the oldest title. Until the Legislature provides some other remedy, the courts must decide upon the common principle of law which gives the land to priority of title.

In consideration of circumstances heretofore mentioned, it is not proposed to give to these people the same extent of indemnity as those of the earlier class: it is proposed to refund them their money with the interest: this amount is to be paid only where they exhibit evidence that they are fully, fairly and exclusively entitled to the land, except as against the Connecticut claimant.

Now, Sir, when we take into consideration that these Connecticut settlers have embraced the laws of your making, have done all they were required to do, have proved themselves peaceable and obedient citizens, have patented their lands, and very generally paid the purchase money, you are bound by every principle of justice and good faith to protect them.

On the other hand you have taken, for the attainment of a great public purpose, the property of the Pennsylvania claimants, legally acquired beforehand, under your existing laws, and the practice of the Land Office: and it is plainly due to *them*, to provide for *their* indemnity, and not to force them to incur the expense and odium of sacrificing innocent persons in the vindication of their rights.

The merits of this case lies in a very narrow compass:—*you have sold the land twice*, and have received the purchase money and patenting fees *twice*; and most surely ought to do just what an honourable and honest individual would do in like circumstances.

A great number of actions in ejectment upon these titles are now pending in the courts of Luzerne and Bradford counties, and in the circuit court of the United States. A large share of these actions were brought at the time when the statute of limitations was about coming into force in those counties. The settlers' hope of protection from that law is thereby destroyed, and they have no other redress than from the Legislature. After having gone thro' all the horrors of warfare and a contested title, all the hardships of settling a new country, of paying in many instances considerable sums for the Connecticut claim, and finally acceding to the offers made by the state of Pennsylvania, taking certificates, paying the purchase money and patenting their lands, they find the whole unavailing, and themselves more completely defenseless than before.

Prior to the passage of the Compromising acts, their numbers and unity were a safeguard, at least in their own estimation. Now, from the facility of enforcing legal process, from the larger inducement of the Pennsylvania claimant to urge his right, in consequence of the increased value of the land he claims,

owing to settlement and improvement, is not the settler in a most alarming condition? Can it be expected that the Pennsylvania claimant will abandon his right after paying his money to the State? Can it also be expected that after having followed that right thro' all the trouble and expense of a lawsuit, and arrived to a judgment, execution and possession, he will accept from the settler his six pence per acre, and interest? Or is it fair to expect that the settler will again purchase out the claim of the individual, after having bought and paid for it two or three times? Is there not every reason to expect that the Pennsylvania claimant, on being denied any other indemnity, will push his claim to judgment and to final possession, and cause execution to issue against the adverse party for all the costs? The temptation to acquire a farm under the circumstances will not be resisted; and what will you do with the Connecticut claimant when he comes here with a statement of his loss—and that loss perhaps twenty times greater than the amount you are now requested to pay to the Pennsylvanian, by the terms of this bill?

There are as yet no judgments rendered by the courts; and all parties appear to pause, with the expectation of being saved the painful necessity of a contest; and this is the stage of the contest in which we ought to interpose, and render justice to the parties.

I find it impossible to ascertain the precise quantity of land in this predicament; but it is generally agreed in Luzerne county to be about 40,000 acres; and the rate of purchase money for the main part of it was fifty shillings per 100 acres: the more however the better, as there will be the less to pay for by the award of a jury, and the valuation in such cases is generally higher than the purchase money and interest.

I look upon it as a matter of right for the Senate to pass this bill upon the plain principles of obligation. The government has made a treaty of peace with the people of that country:—for the establishment of that point I need only to refer gentlemen to the act of 4th April, 1799; it will there be seen in that light clearly. The State was to do certain things, stipulating carefully at the same time that the Connecticut claimants should do certain other things. The State was to purchase back from the Pennsylvania claimants the lands they had acquired, at certain fixed rates; which if those claimants would not accept, they were by a subsequent act authorized to sue for the value thereof. At all hazards the government was to repossess itself of the lands in question: that was the indispensable condition of the whole proceeding. That measure was all in all; and after the grant which she had made twelve years before by her Confirming Law, she was bound to do it; and indeed, Mr. Chairman, in my humble opinion, bound in good faith, on lower terms to those settlers than she agreed to do by the act of '99 and its supplements.

What were the settlers to do on their part? Why, Sir, they were required to accept titles under the terms and conditions specified in those acts. Have they not done so? Have they not most faithfully performed all that was required of them? Have they not ceased all opposition? Have you not broken a combination that was deemed so formidable as to have induced the government to entertain the idea of employing force for the termination of the controversy? Had you not an object in view worth far more than all you have expended in thus avoiding hostility and bloodshed? Surely you have. In adopting a pacific course, the government exhibited its wisdom. That course was not only the most just and humane, but also the cheapest. A treaty was determined on:—the settlers embraced the terms, ceased all opposition, submitted their claims to the court created for their examination, surrendered all their papers, accepted certificates; and generally have paid the purchase money and received their patents. Now, Sir, what is wanted is that the State carry into fulfillment her part of the treaty of peace thus solemnly and legally made.

It is with pleasure I admit that she has done so in part; and so far as respects the settlers it is precisely as obligatory on her to perform the remainder. I cannot and will not doubt but it will be done. It only requires a knowledge of the subject to ensure the event; it is plain, undeniable justice. Your neglect or refusal to do this will amount to a crying injustice: how much more so even from the long delay, from the faith of your laws, from the payment of purchase

money on the part of the settler, than if you had driven him off at an early day, before his improvements had become valuable. All must know that without the measure prayed for the title obtained from you is worth nothing: the right of the Pennsylvania claimant is paramount to his.

One gentleman, from Schuylkill (Mr. Frailey), compares the present case to that of lost warrants. Sir, I apprehend a radical distinction between such a case and the present one. As to lost warrants, it may be said that the price, being low, induced many to hazard the chance of making a few fortunate locations, and buying a larger number of warrants than they were certain of finding land for. The applicant was supposed to know, and ought to have informed himself, whether his warrant when obtained would be worth what it had cost him. The land-officers could not be supposed to know it. On consideration of the reduced price of warrants, it must be apparent that it is in but few cases that the warrantee is not a gainer by his adventure; and when he happens to lose, he must be content with having drawn a blank.

In this case, on the contrary, the holders of the lands in question have found lands, made their locations, perfected their title except as against the Connecticut claimant; and now the State, stepping entirely out of its usual course of proceeding, and with the special view to avert a great evil, passes acts which in their operation must deprive the Pennsylvania claimant of his location. The State here interferes, and allots, in the most solemn legal manner, his land to another. Here is a positive act, and one he could not control or hinder. You recognize the Connecticut claimant as the lawful possessor of the land:—in what condition do you place the Pennsylvania claimant by this proceeding? Why, either to lose the land he claims, or pursue his right thro' a desperate lawsuit. In what condition do you leave the Connecticut claimant? Why, liable to the evils attending the same desperate lawsuit, and which must result in his ruin.

Another gentleman, from Delaware (Mr. Ewing), has remarked that these settlers deserve no consideration from the legislature, and that they came into the country as squatters, intruders, and usurpers of the rights and lands of others.

Sir, this language would have been less exceptionable, if it was ever excusable, when the confirming and compromising acts were passed. He says also that it would have been but just had these people been dispossessed by military force. I agree with him in part, that it would have been better to dispossess the inhabitants with the bayonet and the rifle. It would have been better for them in early days to have been driven thus off into a better country, and where it would have been safer to rely upon Acts of Assembly! They would have been gainers in being thus dispossessed in the days when the fertile country in a neighboring State was vacant, and into which many then retired with great advantage to themselves.

But after accepting your jurisdiction, your titles, after paying again and again for the lands they have cleared, after passing a long and dreary pilgrimage, I do protest against their being left unprotected by the state, and the compact made by her remaining unfulfilled.

List of Taxables in Tioga Township, 1796.

Name and Occupation.	Residence.	Valuation.
David Alexander, Innkeeper	Tioga	\$1324.00
James Bostick, Miller	Tioga	40.00
Wm. Y. Burroughs	Hudson, N. Y.	1180.00
Joseph Biles, Surveyor	Tioga	200.00
Andreas Budd	Tioga	144.00
Stephen Badlock	Tioga	210.00
Solomon Beebe, Physician	Tioga	350.00
David Bosworth	Tioga	190.00
Obadiah Brown	Tioga	532.00
George Brown	Tioga	234.00
James Brink	Tioga	74.00
Benjamin Brink	Tioga	364.00
Chester Bingham	Tioga	918.00
James Braffet	Tioga	60.00
Joseph Bennet, Carpenter	Tioga	160.00
Peras Boardwell	Tioga	12.00
Samuel Baker	Tioga	6.00
Elijah Buck	Chemung, N. Y.	18.00
Isaac Collins, Blacksmith	Tioga	25.00
Ezra Caswell	Tioga	12.00
Ambrose Collins	Tioga	85.00
Benjamin Cole, Jr.	Tioga	936.00
Daniel Curtis, Joiner	Tioga	248.00
Isaac Cash, Carpenter	Tioga	738.00
Seeleye Crawford	Tioga	12.00
Benjamin Clark	Tioga	1410.00
Timothy Calva	Tioga	12.00
William Curry	Tioga	288.00
William Curry, Jr.	Tioga	60.00
James Curry, Turner	Tioga	60.00
Ananias Conklin	Tioga	60.00
Siba Canfield, Blacksmith	Tioga	90.00
Stephen Cole	Tioga	286.00
Espy Crane, Book-keeper	Tioga	152.00
Israel Cranmer	Tioga	27.00
Jeremiah Cranmer	Tioga	12.00
Benjamin Cole	Tioga	36.00
Jane Curtricht	Tioga	44.00
Arnold Colt, Esq., Innkeeper	Tioga	280.00
Henry Decker, Shoemaker	Tioga	280.00
Peter Dingman	Tioga	40.00
Christopher Dutcher, Surveyor	Tioga	100.00
John Deakin	Tioga	402.00
Thomas Ellis	Tioga	12.00
Zephon Flower	Tioga	60.00
Reuben Fuller	Tioga	652.00
Stephen Fuller	Tioga	60.00
John Fuller	Tioga	629.00
Arnold Franklin	Tioga	330.00
John Franklin, Esq.	Tioga	1490.00
William Ferguson	Tioga	388.00
Josiah Green	Tioga	333.00
Eliphalet Gustin	Tioga	484.00
Samuel Gore	Tioga	1348.00
Obadiah Gore, Esq., Judge	Tioga	3520.00
Avery Gore	Tioga	180.00
Lemuel Gaylord	Tioga	210.00
Joseph Garvis	Tioga	12.00

Name and Occupation.	Residence.	Valuation.
Robert Gardner	Tioga	12.00
James Goble	Tioga	39.00
James Gordon, Joiner	Tioga	232.00
Matthias Hollenback, Merchant	948.00
John Hutchinson	Tioga	163.00
Elijah Horton	Tioga	490.00
Elijah Horton, Jr.	Tioga	232.00
Isaac Horton	Tioga	182.00
Eli Holcombe	Tioga	928.00
Truman Holcombe	Tioga	36.00
Eli Holcombe, Jr.	Tioga	50.00
Jonathan Harris	Tioga	724.00
Alpheus Harris	Tioga	100.00
Stephen Hopkins, Physician	Tioga	300.00
Samuel Hepburn, Merchant	Tioga	300.00
James Irwin, Merchant	Tioga	1816.00
William Johnson, Shoemaker	Tioga	50.00
John Jenkins (60 acres)	60.00
Joseph Kinney, Esq., Justice	Tioga	1138.00
Eldad Kellogg	Tioga	421.00
Josiah Kellogg	Tioga	12.00
Benjamin Luce, Distiller	Tioga	92.00
William Laughry	Tioga	1034.00
Michael Laughry	Tioga	12.00
Wright Loomis	Tioga	3150.00
Augustus Loomis	Tioga	80.00
Samuel Lane	Tioga	12.00
Josiah Marshall	Tioga	1100.00
Joseph Mansfield, Distiller	Tioga	50.00
Nath'l P. Moody	Tioga	22.00
Francis Mes	Tioga	12.00
David Markem	Tioga	40.00
Daniel Minier	Tioga	556.00
Henry McKinney	Tioga	12.00
Noah Murray	Tioga	984.00
Elisha Matthewson, Innkeeper	Tioga	974.00
Daniel McDuffee	Tioga	1146.00
Samuel McAlhoe	Tioga	100.00
Guy Maxwell	Tioga	10.00
Robert McAlhoe	Tioga	700.00
John Millet, Millwright	Tioga	150.00
Daniel Moore	Tioga	454.00
Johnston Miller, Cabinet-Maker	Tioga	634.00
Cornelius McDaniel	Tioga	104.00
John Newil	Tioga	356.00
John Newil, Jr.	Tioga	98.00
Josiah Newil	Tioga	98.00
Abel Newil	Tioga	330.00
Nehemiah Northrup	Tioga	746.00
Ludlow Owens	Tioga	165.00
Widow Owenshire	Tioga	12.00
Moses Park	Tioga	12.00
Jeremiah Parker, Carpenter	Tioga	162.00
James Parker	Tioga	62.00
Jesse Phelps, Schoolmaster	Tioga	50.00
Samuel Parker	Tioga	24.00
Ashel Powell	Tioga	12.00
David Paine, Shopkeeper	Tioga	406.00
Thomas Parks	Tioga	444.00
Daniel Roberts	Tioga	50.00
Matthew Rodgers, Distiller	Tioga	20.00

Name and Occupation.	Residence.	Valuation.
John Reddington, Blacksmith	Tioga	100.00
David Riggs	Tioga	256.00
David Ross	Tioga	12.00
Jonathan Ransom	Tioga	62.00
Samuel Swift	Tioga	1754.00
William Spalding	Tioga	570.00
John Spalding (Barn, Mills, Distillery)	Tioga	2068.00
Simon Spalding	Tioga	888.00
Joseph Spalding	Tioga	662.00
John Spalding, Jr.	Tioga	286.00
Michael Stoffelbeam	Tioga	74.00
Peter Snyder	Tioga	607.00
Jeremiah Shaw	Tioga	1026.00
Jonas Smith	Tioga	828.00
Gideon Salisbury, Shoemaker	Tioga	100.00
Joseph Salisbury	Tioga	100.00
Adrial Simons	Tioga	1178.00
Jedidiah Shaw	Tioga	812.00
Bolina Snow	Tioga	12.00
Lockwood Smith	Tioga	757.00
Joseph Smith	Tioga	670.00
Ira Stephens	Tioga	100.00
John Shepard (2320 ac., Sawmill, Gristmill, Tavern, &c.)	Tioga	5630.00
Elisha Satterlee	Tioga	1366.00
Benedict Satterlee	Tioga	107.00
Elias Satterlee, Shoemaker	Tioga	100.00
George Snell	Tioga	800.00
Peter Stevens	Tioga	12.00
John Swain	Tioga	100.00
William Tuttle	Tioga	166.00
Josiah Tuttle	Tioga	62.00
Schureman Travis	Tioga	12.00
Levi Thayer	Tioga	124.00
Solomon Tracy	Tioga	1868.00
Julius Touzier (Tozer?)	Tioga	104.00
Joseph Tyler	Tioga	480.00
Absalom Travis	Tioga	75.00
Sylvanus Travis	Tioga	489.00
Joshua VanFleet	Tioga	50.00
Leonard Westbrook	Tioga	382.00
Cherick Westbrook	Tioga	192.00
James Ward	Tioga	12.00
Morris Wilcox	Tioga	12.00
Ephraim Wright	Tioga	183.00
William Wynkoop	Chemung, N. Y.	360.00
William Wilson	Tioga	18.00
John Wilson	Tioga	60.00
Abel Yarrington	Tioga	10.00
Ichabod Blackman	Tioga	592.00
Negro Chintz	Tioga	336.00

(Summary of Tax List, 1796.)

Number of Resident Taxables, 163; non-resident, 6; Total	169
Acres occupied on Seated Lands	2138
Acres of Unseated Lands	22231
Horses, above 4 years	102
Horned Cattle, do.	373
Total Assessed Valuation	\$71789.

JOSEPH KINNEY, Assessor.

(Only nine "Houses and lots of ground" are assessed in the foregoing complete list for the year 1796; the reason for this is not suggested.)

Tioga Point Tax List, 1808.

Daniel Abbott	Lodwick Green	Moses Park
George Adams	John Griffin	Asahel Pratons
David Alexander	William Hamilton	Anna Prentice
Oliver Arnold	Henry Hamin	Julia Prentice
John Atwood	Joseph Hamin	John Reddington
Stephen Bates	Henry Harmon	Levi Rice
James Bidlack	Alpheus Harris	Israel Rickey
Samuel Bennett	Jonathan Harris	Nathan Roberts
John Bensley	Samuel Harris	Saul Roberts
Chester Bingham	Joseph Harris	David Ross
David Bosworth	Moses Hatfield	Horatio Ross
David Bosworth Jr	Stephen Hopkins	William Ross
Joseph Broughton	Reuben Horton	John Saltmarsh
John Brown	Samuel Horton	Daniel Satterlee
John Brown (2)	John Hubly	Elisha Satterlee
Elijah Buck	Benoni Hulet	Nathaniel Satterlee
Henry Burnham	James Jacklin	Samuel Satterlee
Benjamin Burt	Isaac Jones	Benjamin Seeley
Ezekiel Campbell	Solomon Johnson	Lewis Seeley
Joel Campbell	Solomon Judson	Samuel Seeley
Joel Campbell Jr	Richard Lamphire	John Shepard
Jonathan Campbell	Samuel Lamphire	John Shipley
Nathaniel Campbell	Elnathan Loomis	Francis Smith
Samuel Campbell	Theodore Loomis	John Smith
William Carner	Wright Loomis	Mrs. Francis Sneckenberger
Eliphalet Clark	Daniel McDuffee	Abraham Snell
Nathaniel Clapp	Neal McDuffee	Abraham Snell Jr
Simonson Clapp	Rebecca McKinney	Daniel Snell
Howard Comfort	Robert McElhoe	Henry Snell
Thomas Conner	Samuel McLowrey (2)	Mrs Margaret Snell
William Conner	Isaac Marsaless	John Snell
Samuel Connet	John Marsaless	Howard Spalding
Benjamin Cook	Elizabeth Mathewson	John Spalding
Adam Crans	Albert Mead	Joseph Spalding
Andrew Crans	Daniel Mead	John Squires Jr
Philip Crans	Eleazer Merrill Jr	Nathaniel Squires
Henry Decker	Solomon Merrill	Nathaniel Squires Jr
Jeremiah Decker	Elias Middaugh	Chester Stephens
Jacob Dent	John Miller	Mrs Sybil Stephens
William Dent	Daniel Moore	Job Stiles
Elijah Depue	Elijah Moore	William Stewart
Jacob Dewitt	Jesse Moore	John Swain
Elnathan Ellis	John Moore	Benjamin Taylor
Daniel Elwell	John Moore Jr	William Tharp
Nicholas Euston	Jonathan Moore	Daniel Thurston
James Farlan	Johnston Moore	Julius Tozer
Joseph Farlan	Joseph Moore	Absalom Travis
Barnard Farran	William Moore	Joseph Tyce
Zephon Flower	Isaac Morley	Joseph Tyler
John Franklin	Abner Murray	Stephen Tuttle
Isaac Fuller	Samuel Naglee	Daniel Vancamp
Samuel Gaylord	Abijah Northrop	George Walker
William Gere	Nehemiah Northrop	Elisha Wiber
Alpheus Gillett	Daniel Orcut	Henry Wilson
Luther Gilmore	John Osgood	Jonathan Wilson
Russell Goff	Thomas Osgood	Thomas Wilson
Oliver Grant	Clement Paine	William Wilson
Billa Graves	David Paine	Joseph Wing
John Greaves	Enoch Paine	John Wolcott
Samuel Gree	Daniel Park	Benjamin Wyncoop
	Daniel Park 2d	

LIST OF REVOLUTIONARY SOLDIERS.

As no full list of Revolutionary soldiers of this locality has ever been incorporated in printed histories, we have made an effort to compile one. Tioga Chapter, D. A. R., has furnished such as were known to them, and among Mr. Craft's notes is a list of all known to have lived in Bradford County. Clement Paine acted as agent for the pensioners, and among his papers was found a letter dated January, 1827, in reply to an application made for "Solomon Taladay and Silas Tyler." With the latter name we are unfamiliar; the first is that of the father of Arletta Talada Northrup, a resident of Athens in 1908.

Company, regiment and length of service are given where known; also place of burial and date of birth and death. Doubtless this list may be imperfect according to family records. Considerable data has been taken from early pension lists; it was many years before any pensions were granted, and at first only granted to those who had belonged to certain organizations, or were needy. Large numbers died before all were pensioned who bore an honorable part in the struggle. An effort was made in 1871, through the *Athens Gleaner*, to collect the names of all those who had lived in the county, from which we have also gleaned. It has proved impossible to obtain a complete list of soldiers of War of 1812, although it is a recorded fact that "the Tozer Company" was entirely recruited in this vicinity.

† Pensioned under Act of 1818.

‡ Pensioned under Act of 1832.

OLD BURYING GROUND, ATHENS.

Jonathan Conkling. Samuel Hulett.

†Elisha Matthewson, 1757-1805. †Archelaus Temple.

Joseph Spalding, 1735-1842, Sergt., Col. Douglas' Regt., Conn.

†Solomon Talada, 1758-1839, private, 5th Regt., N. Y.

TIOGA POINT CEMETERY.

†Elisha Satterlee, 1760-1826, private, Capt. Simon Spalding's Co., Wyoming Volunteers.

‡Julius Tozer, 1764-1852, Capt. Simeon Allyn's Co., 9th Regt., Conn. Militia.

THE REST CEMETERY, SAYRE.

Dr. Amos Prentice, 1748-1805, Surgeon, according to Prentice Genealogy.

John Shepard, 1765-1837, Ensign, Capt. Van Dusen's Co., Conn. Guards.

STATE LINE OR PARK BURYING GROUND.

‡Thomas Park, 1749-1819, Corporal, Col. Willis' Regt., Conn.

†Silas Wolcott, 1755-1834, private, Col. Saul's Regt., 13th Penna. Line.

FRANKLIN BURYING GROUND.

John Franklin, 1749-1831, Ensign in train band, 24th Conn. Regt., 1776; Captain 10th Penna., 1778; Captain Wyoming Militia, 1780.

Recorded in Penna. Archives, Second Series, Vol. XIV, p. 335.

‡Zephon Flower, 1765-1855, private, Capt. Edgard's Co., Col. Sheldon's 2nd Regt., Light Dragoons, Continental Troops, Conn.

GREENE'S LANDING BURYING GROUND.

William Watkins, 1st., Sixteen day enlistment, Lexington Alarm; 2nd, private, Capt. T. Knowlton's Co., 3rd Regt., Gen. Putnam's Continentals.

EAST WAVERLY CEMETERY.

William Knapp, 1765-1846, private in New York Regt. (Saratoga Co.)

ELLISTOWN CEMETERY.

John Hanna, 1751-1845, private in three Penna. Companies, under Captains Potter, Williams and Nelson.

John Hyatt, 1761-1853, no record of service given.

Luke Saunders, supposed to have enlisted in Rhode Island.

MILAN CEMETERY.

‡Joseph Smith, served in Penna. Regt., pensioner of 1832.

Lockwood Smith, service known only from family records.

ULSTER CEMETERY.

‡Christopher Simonton. Adrial Simons, no record of service given.

‡Benjamin Clark, Corporal, Capts. Durkee and Spalding, 1st Independent Co., Wyoming; served seven years.

Abram Parmeter, enlisted 1776; in battles of Stillwater and Saratoga.

SPRINGFIELD CEMETERIES.

Noah Murray, 1736-1811, enlisted April, 1775, Litchfield County, Conn., Col. Hinman's Regt.; re-enlisted 1777, Sergeant, Capt. E. Hill's Co., Col. H. Swift's 7th Battalion, Conn.; Germantown, Valley Forge, Monmouth, White Plains.

‡Oliver Gates.

‡Benjamin MacAfee, 1760-1844, three enlistments from Sussex Co., N. J., under Capt. Ross, Col. Crow's Regt.; Capt. David Dunham; Capt. Freeman.

Eleven or twelve more, names and records not certain.

EAST TROY CEMETERY.

Nathaniel Allen, 1761-1839, 1st Regt., Suffolk County, Militia Minute Men.

CANTON CEMETERY.

Samuel Griffin, Fifer, Capt. Clark's Co., 1st Conn. Regt., 1776, served until surrender at Yorktown.

CEMETERY ABOVE CHEMUNG.

Israel Parshall, Sr., 2nd Lieutenant, 3rd Co., 2nd Battalion, Northumberland Associators, commissioned January, 1776, under Col. J. Potter.

‡Thomas Keeney, private, Capt. Bissell's Co., Col. Pitkin, Conn. Troops, Hartford, Conn.; pensioned for three years' actual service.

‡Alpheus Gillette. ‡Job Stiles. Records unknown.

SHESHEQUIN CEMETERIES.

Sheshequin has the largest quota of soldiers' graves, including all the cemeteries in the vicinity.

‡Christopher Avery, 1769-1830, enlisted 1781, private, Capt. Williams' Co., Col. Webb's Regt., Conn. Line.

Samuel Bartlett, 1746-1810, Captain in General Ethan Allen's Brigade.

Ichabod Blackman, 1762-1798, company not recorded; in skirmish at Exeter, July 1, 1778.

‡Benjamin Brink, 1763-1845, private, Capt. H. Shoemaker's Co., Col. Chambers' Regt., Penna.

‡Timothy Culver, 1741-1829, Sergeant, three enlistments, Regts., Col. Wooster, Col. Elmore, Col. Welles.

‡Jabez Fish, 1741-1814, private, Capt. J. Bidlack's Co., Wyoming Militia.

- John Christian Forbes, 1760-1853, impressed by British sailors; deserted and espoused American cause; enlisted from Delaware.
- †Stephen Fuller, 1731-1813, Captain 1st Co., 24th Regt., Conn. Militia.
- †Obadiah Gore, 1744-1821, private, Col. Isaac Nichol's Regt., Orange County, N. Y., six years service; commissioned 1st Lieut. by John Hancock October, 1776, and by John Jay, 1779.
- ‡Samuel Gore, 1761-1834, private, Capt. Aholiab Buck's Co., Wyoming Militia, 1777-1781.
- Elijah Horton, 1739-1821, private, Capt. Fox's Co., Col. Henley's Regt., Continental Troops, N. Y.
- ‡Joseph Kinney, 1755-1841, enlisted twice from Plainfield, Conn., wounded in battle of Long Island.
- Nehemiah Northrup, 1761-1842, service not known.
- ‡Jared Norton, 1757-1842, service not known.
- Jeremiah Shaw, 1730-1815, service not known.
- Samuel Shores, said to be buried in Post Cemetery; record unknown.
- ‡John Spalding, 1764-1828, Fifer in his father's company; on Sullivan's Expedition.
- Simon Spalding, 1742-1814, 2nd Lieut., Capt. S. Ransom's Co., August, 1776; commissioned 1st Lieut. January, 1777; Capt. June, 1778, of two Independent Wyoming Companies; sent to relief of Wyoming.
- ‡John C. Van Cise, 1756-1849, enlisted at Schoharie, N. Y.; served seven years; in battles of Bunker Hill, Trenton, Princeton, Monmouth and Yorktown.
- ‡Moses Woodburn, 1764-1836, enlisted four times; private, Capt. Rathbone's Co.; private, Capt. Douglass' Co., Col. Starr's Regt.; marine, U. S. Brig Lafayette; marine, U. S. Brig Randolph; one of Major André's guards.

EAST SMITHFIELD CEMETERY.

- ‡Cromwell Child, †David Forrest, †Samuel Kellogg, Nathaniel P. Moody, ‡Ebenezer Pease, †Jared Phelps, †James Satterlee, †Samuel Wood; records not furnished by secretary.

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"The labour and the patience, the judgment and the penetration, which are required to make a good index, is only known to those who have gone through this most painful but least praised part of a publication."—*Oldys*.

"But, laborious as it is, I think it indispensably necessary to manifest the treasures of any multifarious collection, facilitate the knowledge to those who seek it, and invite them to make application thereof."—*Justin Winsor*.

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